



HAMPDEN TOWN COUNCIL
HAMPDEN MUNICIPAL BUILDING
AGENDA

MONDAY

AUGUST 2, 2021

6:00 P.M.

- A. PLEDGE OF ALLEGIANCE
- B. APPROVAL OF THE AGENDA
- C. CONSENT AGENDA
 - 1. SIGNATURES
 - 2. COUNCIL MINUTES
 - a. 07/06/2021 Council Meeting
 - b. 07/12/2021 Council Workshop
 - c. 07/19/2021 Council Meeting
 - d. 07/26/2021 Special Town Council Meeting.
 - 3. COMMUNICATIONS
 - a. Press Release
 - b. Town Manager Scott's letter to the RSU 22 Board of Directors
 - c. Town Manager Scott's correspondence email with Peggy Brown, Lafayette Hotels
 - d. MRC July 2021 Newsletter
 - e. Public Forum August 3rd at 5:00 at the Town Office – Transfer Station Operations
 - 4. COMMITTEE MINUTES
- D. PUBLIC COMMENTS
- E. POLICY AGENDA
 - 1. NEWS, PRESENTATIONS & AWARDS
 - a. Casella response to the Pine Tee Landfill Public Hearing
 - 2. PUBLIC HEARINGS
 - 3. NOMINATIONS – APPOINTMENTS – ELECTIONS
- F. COMMITTEE REPORTS
- G. UNFINISHED BUSINESS
 - a. Council consideration on Remote Meeting Policy, *referred from Council Workshop.*

Note: Council will take a five-minute recess at 8:00 p.m.

MONDAY

AUGUST 2, 2021

6:00 P.M.

AGENDA

H. NEW BUSINESS

- a. Request for authorization to engage James W. Wadman, CPA as Auditor for FY22.
- b. Discussion on the TDS broadband letter of intent – *requested by Amy Ryder, Economic Development Director*
- c. Council authorization to continue with the municipal broadband model – *requested by Amy Ryder, Economic Development Director*

I. MANAGER'S REPORT

J. COUNCILOR'S COMMENTS

K. EXECUTIVE SESSION

L. ADJOURNMENT

Note: Council will take a five-minute recess at 8:00 p.m.

FOR THOSE THAT WISH TO PARTICIPATE IN THE
REMOTE HAMPDEN TOWN COUNCIL MEETING
ON AUGUST 02, 2021 AT 6:00 PM YOU MAY
PHONE IN USING THE FOLLOWING NUMBER
(FOLLOWED BY THE PIN #)

1-912-712-4290 PIN 347 561 853#

OR-

FROM A LAPTOP OR A DESKTOP, YOU MAY GO
TO THIS URL: [https://meet.google.com/
qfe-vmqz-jtj?hs=122&authuser=0](https://meet.google.com/qfe-vmqz-jtj?hs=122&authuser=0) AND JOIN US
THAT WAY

INSTRUCTIONS ARE POSTED WITH THE AGENDA
AND SEPARATELY ON THE TOWN CALENDAR AT
WWW.HAMPDENMAINE.GOV

Using Google Meet to Participate in Hampden Town Council Remote Meetings

How to join:

1. Town Council members will receive an email or a Google Calendar Invite with a link to join the meeting.
2. People interested in joining will need to go to the link posted on the town events calendar at www.hampdenmaine.gov.
3. Anyone can also join for audio-only participation by calling the number provided on the town events calendar and then entering the PIN provided followed by the # symbol.

Protocols for Remote Meetings:

1. Log in or call in at least 5 minutes before scheduled start of meeting.
2. For the audio portion, use either your phone or your computer microphone, not both.
3. Mute your phone or computer mic unless speaking. Remember to un-mute if you want to speak. To mute or unmute in Google Meet, click on the little microphone icon at the bottom of the screen; note you may need to move your mouse pointer around the bottom of your screen to get the bottom bar to appear.
4. Speak up if using a computer microphone or if using the speaker function on your telephone.
5. Do not rustle papers in front of your mic unless it's muted. Please minimize background noise.
6. If you're referring to a document, identify it including page or sheet number.
7. If using the video function, have a light source in front of you if possible. Try to avoid backlighting.
8. If you want to look good, have your camera mounted at eye level or above. Look at yourself on screen to check the lighting, camera position, what's in the background, etc. In Google Meet, you can do this "video check" when you open the program before you join the meeting.
9. If you are participating by audio only, identify yourself when speaking.
10. ALL votes will be by roll call.
11. After the meeting is adjourned, click on the red phone icon on the bottom bar to leave the meeting, or (obviously) just hang up the phone if that is how you are participating.

For detailed instructions on using Google Meet, please refer to their website:

support.google.com/a/users/answer/9282720?hl=en



HAMPDEN TOWN COUNCIL
HAMPDEN MUNICIPAL BUILDING
MINUTES

MONDAY JULY 6, 2021 6:00 P.M.

In Attendance:

Mayor Shelby Wright	Paula Scott, Town Manager
Councilor Eric Jarvi	Victor Smith, Public Works Director
Councilor Mark Cormier	Darcey Peakall, Pool Director-Remotely
Councilor Ivan McPike	
Councilor Allen Esposito	
Councilor Peter Erickson	
Councilor Christine Cubberley, Remotely	

Mayor Wright called the meeting to order at 6:00 p.m.

A. PLEDGE OF ALLEGIANCE

Mayor Wright led the Pledge of Allegiance.

B. APPROVAL OF THE AGENDA

Motion: Councilor McPike moved to approve the agenda, seconded by Councilor Esposito.
Vote 7-0

Resolution: 2021 – 124

C. CONSENT AGENDA

Motion: Councilor Jarvi moved to approve the consent agenda, seconded by Councilor Esposito. Vote 7-0

Resolution: 2021 – 125

1. SIGNATURES

2. COUNCIL MINUTES

- a. 06/14/21 Council Workshop Meeting
- b. 06/21/2021 Council Meeting

3. COMMUNICATIONS

4. COMMITTEE MINUTES

D. PUBLIC COMMENTS

E. POLICY AGENDA

Note: Council will take a five-minute recess at 8:00 p.m.

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MONDAY

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.....

6:00 P.M.

1. NEWS, PRESENTATIONS & AWARDS

2. PUBLIC HEARINGS

- a. Proposed Amendments to the Hampden Fees Ordinance, Article 8 Pool.

Motion: *Councilor McPike moved to open the public hearing for the Hampden Fees Ordinance, Article 8 Pool, seconded by Councilor Esposito. Vote 7-0*

Resolution: 2021 – 126

Motion: *Councilor McPike made a motion to come out of public hearing, seconded by Councilor Esposito. Vote 7-0*

Resolution: 2021 – 127

Motion: *Councilor Jarvi moved adoption of the Amended Hampden Fees Ordinance Article 8 Pool as presented, seconded by Councilor McPike. Vote 7-0*

Resolution: 2021 - 128

- b. Proposed amendments to the Hampden Fees Ordinance, Article 2.9.1. Sewer.

Motion: *Councilor McPike moved to go into public hearing, seconded by Councilor Esposito. Vote 7-0*

Resolution: 2021 – 129

Motion: *Councilor McPike made a motion to come out of public hearing, seconded by Councilor Esposito. Vote 7-0*

Resolution: 2021 – 130

Motion: *Councilor McPike made a motion to accept the Hampden Fees Ordinance Article 2.9.1 Sewer, seconded by Councilor Jarvi. Vote 6-1*

Resolution: 2021 - 131

3. NOMINATIONS – APPOINTMENTS – ELECTIONS

- a. Town Council's confirmation of annual appointment of designated Town of Hampden Officials – pursuant to Title 30-A section 2526(2).

Motion: *Councilor McPike made a motion to approve the annual appointment of designated Town of Hampden Officials pursuant to Title 30-A section 2526(2), seconded by Councilor Jarvi. Vote 7-0*

Resolution: 2021 - 132

Note: Council will take a five-minute recess at 8:00 p.m.

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.....

F. COMMITTEE REPORTS

G. UNFINISHED BUSINESS

- a. Council Order 2021-02 Prohibiting The Use Of Certain Trailers At The Hampden Transfer Station.

Mayor Wright read the Order. "It Is Ordered, that the Hampden Town Council, by their vote, shall set the policy to allow trailers into the Transfer Station but mandate that dump trailers be off loaded by hand. The number of trailers of any kind within the Transfer Station shall be at the discretion of the Director of Public Works."

Motion: Councilor McPike made a motion to adopt Order 2021-02 Prohibiting the Use of Certain Trailers at the Hampden Transfer Station, seconded by Councilor Cormier. Vote 7-0

Resolution: 2021 - 133

H. NEW BUSINESS

- a. Council Order 2021-03 Permitting Disbursement of Employee Wages and State Fees -annual policy renewal.

Motion: Councilor McPike made a motion to accept Council Order 2021-03 disbursing wages and payment of state fees, seconded by Councilor Cubberley. Vote 7-0

Councilor Esposito will be the primary signer of the employment wage payroll and Mayor Wright and Councilor Jarvi will be alternates.

Resolution: 2021 - 134

- b. Council Order 2021-04 Authorizing The Application Of Property Tax Payments – annual policy renewal.

Motion: Councilor Jarvi pursuant to Title 36 MRSA section 506 and 906 moved Council adopt Council Order 2021-04 Authorizing the Application of Property Tax Payments, seconded by Councilor McPike. Vote 6-1

Resolution: 2021 - 135

- c. Council Order 2021-05 Establishing Procedures For The Receipt Of Gifts, Donations and Funds From Outside Sources – annual policy renewal.

Motion: Councilor McPike made a motion to accept Order 2021-05 pursuant to Title 30-A MRSA subsection 5652 and 5655 to accept gifts, seconded by Councilor Jarvi. Vote 7-0

Resolution: 2021 - 136

Note: Council will take a five-minute recess at 8:00 p.m.

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- d. Council Order 2021-06 Authorizing The Establishment Of A Tax Club For Tax Year 2022
- requested by Wanda Libbey, Tax Collector.

Town Manager Scott explained that the Tax Club allows the Tax Collector to enter into a payment agreement with a property tax payer for a period of 10 months and they have a set amount that they have to pay every single month with no interest charged. If the tax payer becomes late they become subject to interest and they are no longer able to stay in the tax club.

Motion: Councilor Jarvi pursuant to Title 36, MRSA section 505 and 506 moved Council adopt Council Order 2021-06 Authorizing the Establishment of a Tax Club for 2022 taxes, seconded by Councilor Esposito. Vote 7-0

Resolution: 2021 – 137

- e. Council determination of rate of interest to be applied to delinquent tax payments – pursuant to Title 36 MRSA Section 505.4.

Town Manager Scott explained that every year the State Treasurer's Office puts out a listing of the new maximum rate for interest and this year the lowest that we can go is 4% but we can go up to 6%. She recommends that the payment that we pay for overpayments would be 2% and set the interest rate for delinquent taxes at the rate of 6%.

Motion: Councilor McPike made a motion to apply an interest rate of 6% on delinquent tax payments Title 36 MRSA section 505.4, seconded by Councilor Cubberley. Vote taken with amendment of changing 6% to 4% on both billable and payable. Vote 3-4 motion fails.

Resolution: 2021 - 139

Motion: Councilor Erickson moved to amend the motion to have both billable and payable at 4%, seconded by Councilor Cormier. Vote 5-2

Resolution: 2021 – 138

Town Manager Scott explained that the amount of interest rate that we would have to pay on abated and overpaid taxes can be no less than the highest rate recommended, lowered by four. That would be the 2 % that she recommended. The former Council agreed last year, that interest on taxes is a revenue source and to offset your expenses. The philosophy of previous Council was to charge the higher amount and pay the lower amount.

Motion: Councilor McPike made a motion to approve an amount of 6% for delinquent tax payment pursuant to Title 36 MRSA section 505.4, seconded by Councilor Jarvi. Vote 4-3

Resolution: 2021 - 140

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- f. Council determination of rate of interest to be applied to be paid on overpaid and abated taxes – *pursuant to Title 36 MRSA Section 506-A*

Motion: *Councilor McPike made a motion to apply the interest rate of 2% to be paid on overpaid and abated taxes pursuant to Title 36 MRSA section 506-A, seconded by Councilor Jarvi. Vote 3-4*

Resolution: 2021 – 141

Motion: *Councilor Cubberley made a motion to raise the interest rate for overpayment of taxes to 3%, with no second motion fails.*

Motion: *Councilor Cormier moved to pay the interest on overpaid taxes at 4%, seconded by Councilor Cubberley.*

Motion: *Councilor Esposito moved to table this item to get information on how many overpayments we get in a year. Vote 6-1*

Resolution 2021 - 142

- g. Setting of the tax due dates.

Motion: *Councilor Jarvi moved Council set the tax due dates for FY22 taxes as October 6, 2021 and April 6, 2022, seconded by Councilor McPike. Vote 7-0*

Resolution: 2021 - 143

- h. Council award of the design for the Manning Mill and Sawyer Road bridges, *requested by Victor Smith, Public Works Director.*

Victor Smith Public Works Director presented an overview of the proposals for the design of the Manning Mill and Sawyer Road Bridges and recommended awarding the bid to the lowest bidder, TY Lin.

Motion: *Councilor McPike made a motion to accept the proposal for the bridge design Engineering services for Manning Mill Bridge and Sawyer Road Bridge from TY Lin, seconded by Councilor Cubberley. Vote 7-0*

Resolution: 2021 – 144

Note: Council will take a five-minute recess at 8:00 p.m.

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I. MANAGER'S REPORT

I don't have a whole lot to report tonight other than just to inform everyone that we did close our fiscal year on June 30 and everything came in balanced without having to have the auditor assist us in that. I want to thank the finance department and congratulate them for such a job well done, as well as all the staff. There's a lot of money that goes across this counter on a daily basis and to have everything come out so well just speaks to how good of a job that they all do. We do have our audit tentatively scheduled for some time in October. I also want to let the council know that we were able, at the close of books, to transfer \$500,000 from the sewer department to the general fund to pay back some of the money that the sewer department has owed the general fund. I also want to just let everyone know that now that the 4th of July Holiday is over, Victor and I will be reaching out to some of the interested parties with regard to establishing the committee to discuss the Swap Shop and how we need to handle that going forward, so I haven't forgotten about that and we will be making contact. There are some that have asked to be involved and we will be reaching out. That's really all I have to say for tonight.

J. COUNCILOR'S COMMENTS

Councilor Cubberley - *No comment.*

Councilor Cormier – *No comment.*

Councilor McPike - *I'd just like to make some comments on the budget that was passed at the last meeting. I'd like to express my gratitude to the town manager and the staff and particularly the department heads for the budget that was put forward. In seven years of budget hearings I believe this is one of the best budgets that I've seen come in, had the less conflicts and showed some real concise areas, which was hit and and ratified to make things better. I think some of the results that we may not be aware of and perhaps the public is not aware of is that the fiscal year 21 budget for the Town of Hampden was \$11,996,638 and the fiscal 22 year budget was \$11,431,632 which means that we the town reduced our budget by 4.71% or \$565,000. That's not reducing increases, that's reducing the actual budget itself and I think sometimes that doesn't get out is that it's very difficult, that once you get something in government, you have a tendency to keep it. This year the Town Manager and the Department Heads proved that we could do with less and still run efficiently. In controversy to that, the county last year our assessment was \$1,002,527.00 and this year it was \$1,141,446.00 or up 13.86% and sitting on that budget committee, I can tell you that part of the reason for that was a huge increase in 911 update that they had to do because as IT will tell you, this was probably 15 years old and was not of very use anymore. So that was one of the big things, they knew it was coming and it did come. School, last year Hampden's share of the school was \$7,260,669.00 and this year Hampdens share of the school was \$7,661,727.00 or 3.11% increase or \$401,000 increase. The total school increase of RSU 32 was a little over 900,000, other town's absorbed the rest, that was just Hampden's share. So, we passed this we went through it and looked at it, but think it is pertinent that the public understand that this is one of the finest years I've seen on the town of Hampdens budget and I take my hat off and I congratulate the staff and I congratulate the Town Manager for what I consider a job well done. Thank you.*

Councilor Esposito – *Drink water stay hydrated.*

Note: Council will take a five-minute recess at 8:00 p.m.

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6:00 P.M.

Councilor Esposito – Thank you for sharing that Ivan and good night Hampden.

Councilor Jarvi - I would like to take this opportunity to concur with Councilor McPike. I think the budget process was very thorough and was very transparent until we got to the last night. I have invented a new term for last minute budget additions. I'm going to call them from here on out pork cup additions instead of pork barrel additions. I still maintain as I did then that I think we could have had a deliberative process to consider those even as a result of public hearing. But it went through and I'm happy it went through and I support the budget as passed. For the benefit of the public I think it's also important to note that next Monday's workshop tentatively on the agenda has a report on the pine tree landfill, and potential renaming of the Grist Mill Bridge as agenda items. There might be some other things, but for the benefit of the public, I think those are two very important items up for discussion and the report on the pine tree landfill, in particular, is long overdue, and I would make sure the public participates in that if they have an interest. Goodnight, Hampden. Good night Hampden.

Councilor Wright – Good night Hampden.

Councilor McPike – Just one more thing. Thursday night at four o'clock, there is a meeting here with axiom on fiber optic cable, and the axiom rep will be here and for some of the people who are who are old like I am who don't understand all that stuff, it's a chance to ask him directly the questions of what you expect and what you're afraid of and what you think is going to happen and cost that could be incurred with that. So, I would ask everyone if they want to come here Thursday night at four, in the council chambers, to discuss that and it's open to the public. Thank you.

K. EXECUTIVE SESSION – Pursuant to 1 M.R.S.A. Section 405 (6)(A) – Personnel Matters

Motion: Councilor McPike made a motion to go into executive session pursuant to 1 M.R.S.A. section 405 (6)(A) for personnel matters to include the Town Manager, seconded by Councilor Esposito. Councilor Cubberley remotely left the meeting at this time. Vote by roll call 5-1 with Councilor's Erickson, Esposito, McPike, Cormier and Mayor Wright voting in the affirmative and Councilor Jarvi voting against.

Resolution: 2021 – 145

Executive session entered at 6:54 p.m.

L. ADJOURNMENT

Meeting adjourned after executive session with no votes taken.

Respectfully submitted,
Gayle C. Decker, Town Clerk

Note: Council will take a five-minute recess at 8:00 p.m.



HAMPDEN TOWN COUNCIL WORKSHOP
HAMPDEN MUNICIPAL BUILDING
MINUTES

C-2-b

MONDAY

JULY 12, 2021

6:00 P.M.

In Attendance:

Mayor Shelby Wright, Remotely
Councilor Eric Jarvi
Councilor Mark Cormier
Councilor Ivan McPike
Councilor Allen Esposito
Councilor Peter Erickson
Councilor Christine Cubberley

Paula Scott, Town Manager
Victor Smith, Public Works Director
Darcey Peakall, Pool Director-Remotely
Ellyn Chase, President of Hampden
Historical Society
Clifton Iler, Town Planner
Other members of the Public

A. CALL TO ORDER

Deputy Mayor Jarvi called the meeting to order at 6:00 p.m.

B. UNFINISHED BUSINESS

C. NEW BUSINESS

- a. Discussion on the naming of the Grist Mill Bridge – requested by the Hampden Historical Society

Ellyn Chase, President of the Hampden Historical Society spoke on behalf of the Hampden Historical Society about the official naming of the new bridge over the Souadabscook Stream. She spoke in favor of naming the new bridge as the Wheeler Grist Mill Bridge. She informed that Benjamin Wheeler was the first settler of Hampden, having moved here from Durham, New Hampshire, along with his family in 1767 settling along the Souadabscook. He was responsible for building the very first grist mill along the stream and he also built the first sawmill which was close by. These acts allowed Hampden, then known as Wheeler's Borough, to flourish. She advocates naming the new bridge after Benjamin Wheeler as they believe it is a way to recognize Wheeler for the role he played, and ensuring Hampdens very existence. Town resident Jim Folsom spoke in favor of Ellen's comments and feels that having the opportunity to recognize Benjamin Wheeler is very important. He paraphrased the motto of Hampden Academy- rooted in tradition, but always looking to the future – so he is hoping that by naming the bridge Wheeler Grist Mill Bridge that we will connect that past with the future. Council directed Town Manager to work on a resolution to be presented at a Town Council Meeting.

- b. Discussion on a sign at the Grist Mill Bridge – requested by Meghan Collins of the University of Maine

Town Manager Scott spoke on the Grist Mill Bridge and that Megan Collins contacted her and wanted to perhaps put up a sign that informs the public about the technology, and about the fact that that technology was developed and created at the University of Maine. That it was also built in a local business in Brewer, AIT, and is the first use of this technology in the United States. Also, we received some kudos at the dedication

Note: Council will take a five-minute recess at 8:00 p.m.

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for Hamden being so progressively thinking, in that we changed the design of the bridge to endorse this material. So, they wanted to kind of put all of that together into some informational signage and looking to you for guidance on whether or not we wish to go forward with that. Councilor Jarvi felt having an informational plaque on one side of the bridge and another recognizing the name of the bridge, along the sidewalk, would be the best approach, as it would not be signage on the roadway. Consensus of Council is to have staff to continue to work on this, and to make sure we're in line with State regulations and to get some cost estimates and see if we can potentially raise money to do this.

c. Recommendation for the rate of interest paid on over paid taxes (tax abatements)

Town Manager Scott provided an update with requested information on the goal of approving the resolution on interest paid on abatements, at our next council meeting on July 19th. Part of the responsibility of the council is to not only set the interest rate that we charge for delinquent taxes, but to also set the interest rate that we pay on overpaid and abated taxes. And at the last meeting, there was a lot of discussion on that and a request to find out how much we paid last year. And that answer is \$0. Abatements were granted and we did not hold funds for any length of time beyond the due date, so we paid no money in interest. Consensus of council it to take to next Council Meeting.

d. Discussion on tracking for brown tail moths – update

Town Manager Scott provided an update on brown tail moth tracking. Mike has created a form on our website where residents can go on and type in the address or even location of infestation sightings and that information will be transferred to a map, available on our website. That way people can go on and find out where the infestations within the Town of Hamden are located.

She stated that what we do with that information needs to be a policy directive on whether or not we want to implement a program, a plan, where we embark on doing some measures, to prevent the defoliation. Councilor Jarvi suggested putting links on the website to information on brown tailed moth to let the homeowners know what kind of options are available.

At this time Council recognized Town resident Mary Ann Rhodes of 315 Emerson Mill Road for public comment. She stated that in March she learned that her house was considered a model home, and that it was zoned commercially. Her home needs repair. She spoke on the time that the Town changed from residential to commercial in her area. The town planned on something happening and now it has been 60 years and nothing has. Home needs repair and she asking how they can go to rural. Her husband spoke that once you get past the dump the road is rated at 23,000 pounds and questions how you could have an industrial complex. They have lived here nearly 20 years. They are asking that the neighborhood would be all zoned the same. That they are the only ones that don't have a grandfather clause, everybody else is industrial with a grandfather. Town Planner Clifton Iver spoke stating that they have been working on this for two to three weeks now. In the late 60's this area was zoned industrial, it hasn't changed its zoning designation since 1963. All of the houses on those sites have been grandfathered in because they were constructed prior to 1963. According to the building permit for the property in question, it was built as a model

Note: Council will take a five-minute recess at 8:00 p.m.

MINUTES

house log cabin, that would serve as an office use, so wasn't permitted in the zoning code. It has since been converted into a house that the Rhodes have been living in. There was never a residential component per the building permit. He is looking through old records and trying to find the planning board comments from the 1960's on the zoning classification and whether or not the use could have been grandfathered. What staff has advised was to submit a zoning application requesting a zoning map change amendment. What the Rhodes and neighbors are asking for is a uniform rezoning essentially to eliminate the industrial clause in that designation, and it would apply to all residents. Council recognizes that there is an issue here, rezoning would be an appropriate consideration and they are looking for a recommendation out of the Planning Board. Consensus of Council is for the Rhodes to submit a zoning application requesting a zoning change amendment to the Planning Board.

e. Discussion regarding remote participation in public proceedings

Town Manager Scott gave an overview of remote participation. Prior to the pandemic all bodies that belonged to any governmental body had to meet in person, there has never been a provision in the law to allow remote meetings by the elected officials or the appointed officials. However, the legislature made exception during the pandemic and that emergency legislation is set to expire on July 30th. New legislation did pass which allows for Council to set a policy to allow remote participation by the members of the body of the elected officials or the appointment officials. She is looking to find out whether or not council would like to permit themselves to meet remotely and if so, would need to define what the reasoning would be to allow for remote participation, spelled out right in the policy. Consensus of Council is that it is worth seeing if staff can develop a policy. Some guidance given by Council is for the policy to contain a distance requirement; all votes by roll call; and must be present in person for executive sessions. Council directed the Town Manager to have a draft policy at the next Council Meeting.

D. ADJOURNMENT

Meeting adjourned at 7:18 p.m.

Respectfully Submitted,
Gayle C. Decker, Town Clerk

Note: Council will take a five-minute recess at 8:00 p.m.



HAMPDEN TOWN COUNCIL
HAMPDEN MUNICIPAL BUILDING
MINUTES

C-2-C

MONDAY

JULY 19, 2021

6:00 P.M.

In Attendance:

*Mayor Shelby Wright
Councilor Eric Jarvi
Councilor Mark Cormier
Councilor Ivan McPike
Councilor Allen Esposito
Councilor Peter Erickson
Councilor Christine Cubberley*

*Paula Scott, Town Manager
Gayle C. Decker, Town Clerk
Victor Smith, Public Works Director
Other Members of the Public*

Mayor Wright called the meeting to order at 6:00 p.m

A. PLEDGE OF ALLEGIANCE

Mayor Wright led the Pledge of Allegiance.

B. APPROVAL OF THE AGENDA

Motion: *Councilor Jarvi moved to approve the agenda with the removal of item K. Executive Session, seconded by Councilor Esposito. Vote 7-0*

Resolution: 2021 - 146

C. CONSENT AGENDA

Motion: *Councilor McPike moved to approve the consent agenda, seconded by Councilor Cubberley. Vote 7-0*

Resolution: 2021 - 147

1. SIGNATURES

2. COUNCIL MINUTES

3. COMMUNICATIONS

4. COMMITTEE MINUTES

D. PUBLIC COMMENTS

E. POLICY AGENDA

1. NEWS, PRESENTATIONS & AWARDS

Note: Council will take a five-minute recess at 8:00 p.m.

MONDAY

JULY 19, 2021

6:00 P.M.

MINUTES

2. PUBLIC HEARINGS

- a. For questions or comments regarding the status of the Pine Tree Landfill and the water quality.

Mayor Wright turned the gavel over to Deputy Mayor Jarvi for the public hearing.

Motion: *Councilor Esposito moved to go into public hearing, seconded by Councilor McPike. Vote 7-0*

Resolution: 2021 – 148

Town Consultant, Matt Reynolds of Drumlin Environmental, LLC presented a summary of the Pine Tree Landfill and Water Quality Report.

Motion: *After Council questions and public comments Councilor McPike moved to come out of public hearing, seconded by Councilor Esposito. Vote 7-0*

Resolution: 2021 – 149

Deputy Mayor Jarvi turned the gavel back over to Mayor Wright.

3. NOMINATIONS – APPOINTMENTS – ELECTIONS

- a. Public Notice – Nomination Papers are available for November 2, 2021 Municipal Election.

F. COMMITTEE REPORTS

Councilor Jarvi reported on the 7/12/21 Council Workshop.

G. UNFINISHED BUSINESS

H. NEW BUSINESS

- a. Council determination of rate of interest to be applied to be paid on overpaid and abated taxes – *pursuant to Title 36 MRSA Section 506-A*

Motion: *Councilor McPike moved to apply an interest rate of 2% for paid and overpaid abated taxes, with no second motion fails.*

Motion: *Councilor Jarvi pursuant to Title 36 MRSA Section 506-A moved Council establish a 4% interest rate on tax overpayments and abatements, seconded by Councilor Cormier. Vote 5-2*

Resolution: 2021 – 150

Note: Council will take a five-minute recess at 8:00 p.m.

MONDAY

JULY 19, 2021

6:00 P.M.

MINUTES

- b. Council award of Route 1A Western Ave Traffic Signal Design, requested by Victor Smith, Public Works Director.

Public Works Director Victor Smith discussed the RFP sent out. One engineering firm put in a proposal. He recommends accepting that proposal for the design of the traffic signal.

Motion: Councilor Jarvi moved Council award the Route 1-A traffic signal design to Seawall in an amount not to exceed \$35,885.00, seconded by Councilor Esposito. Vote 7-0

Resolution: 2021 - 151

- c. Council action on permanently changing the physical location of Hampden's Voting Place from the Municipal Building, 106 Western Avenue, to the Skehan Recreation Center, 1 Main Road North.

Motion: Councilor McPike moved to permanently change the physical location of Hampden's Voting Place to the Skehan Recreation Center, 1 Main Road North, seconded by Councilor Cubberley. Vote 5-2

Resolution: 2021 - 152

- d. Council action on a resolution to officially name the Grist Mill Bridge the Wheeler Grist Mill Bridge, referred from workshop.

Motion: Councilor Jarvi moved Council permanently change the name of the Grist Mill Bridge to Wheeler Grist Mill Bridge, seconded by Councilor Cubberley. Vote 7-0

Resolution: 2021 - 153

I. MANAGER'S REPORT

Attached Exhibit A.

J. COUNCILOR'S COMMENTS

Councilor Cormier – No comment.

Councilor McPike – No comment.

Councilor Cubberley – No comment.

Councilor Erickson – No comment.

Councilor Esposito - *So something I do want to talk about just real quick. I just want to put these phone numbers out there. I feel it's rather important. It's been a rough year and a half, if you're feeling down, if you're feeling hopeless, depressed, please reach out to one of these two following numbers. The Suicide Hotline 1-800-273-8255 and if you're a veteran you could also reach out to the veterans hotline as well. 1-800-273-8255 option one, and just you know, speak your mind.*

Councilor Jarvi – No comment.

Councilor Wright – No comment.

Note: Council will take a five-minute recess at 8:00 p.m.

.....
MONDAY

JULY 19, 2021

6:00 P.M.

MINUTES
.....

- K. EXECUTIVE SESSION - pursuant to 1 M.R.S.A. section 405(6)(c) to include the Town Manager and Economic Development Director.

Executive Session was stricken from the Agenda.

- L. ADJOURNMENT

Meeting adjourned at 7:26 p.m.

*Respectfully submitted,
Gayle C. Decker, Town Clerk*

Note: Council will take a five-minute recess at 8:00 p.m.



Memorandum

TO: Town Council
FROM: Paula Scott, Town Manager
DATE: July 19, 2021
RE: Manager's Report

- The Western Ave and Dewey St. sewer project is nearing completion. Last week, paving started around the manholes and the trenches with this week as the target for completion. The quantity of pavement was a change order item due to requirements by the MDOT. Clean up and loaming is taking place as well and traffic pattern will shift during this time of clean up, but this should be the last week of the detour.
- David has completed the application for the bond bank to close out the bond anticipation note through Key Bank. The application is due in August, and it is being reviewed by our bond counsel, Dan Pittman. As you recall, we have already bid the Manning Mill and Sawyer Rd. bridges design portion which was awarded to TY Lynn and the signal design bid received one proposal from Sewell, heard on tonight's agenda. If we are successful in getting the bond, we will be closing the bond anticipation note in November and construction bids will be going out for FY22 work and completion.
- The Bangor Water District will be approaching the PUC to request a water rate adjustment for domestic water and fire protection charges. If approved, this will begin on October 1st. This will affect the budget relative to the 6 hydrants that we pay Bangor for, and which is budgeted with our own fire protection charges.
- The closing on the Coastal facility which was supposed to take place on June 30th was delayed due to some late requests from the bondholders. There will be a town hall meeting with the MRC on August 5th at which there should be more information available.
- We have been inspected by our loss control/risk management contact at MMA who has inspected some of our facilities for safety issues. There were very few issues that we have had to take care of; mostly with regard to updating some of the safety policies in place. One thing that we did get a written caution on was the siding on the pool building, especially up near the eaves where pieces are actually falling off. We will be looking toward having the building sided in the future.
- I have signed up for the New England Management Institute which is being held on August 11th – 13th at Sugarloaf. This is a comprehensive professional development course with topics ranging from road preservation to TIFs, to affordable housing and a myriad of other topics. After a year of limited on line training, it will be good to get back into a class room. The week following, I will be on vacation. I anticipate a public hearing to be held on the 16th for the borrowing authorization ordinance, but between Gayle and Amy, they should be able to take care of whatever is needed for the meeting.



C-2-d

HAMPDEN TOWN COUNCIL SPECIAL TOWN MEETING
HAMPDEN MUNICIPAL BUILDING
MINUTES

MONDAY

JULY 26, 2021

6:00 P.M.

In Attendance:

Mayor Shelby Wright

Councilor Eric Jarvi

Councilor Mark Cormier

Councilor Ivan McPike

Councilor Allen Esposito, Remotely

Councilor Peter Erickson

Councilor Christine Cubberley

Paula Scott, Town Manager

Gayle C. Decker, Town Clerk

Amy Ryder, Economic Development Director

A. PLEDGE OF ALLEGIANCE

Mayor Wright led the Pledge of Allegiance.

B. CALL TO ORDER

Mayor Wright called the meeting to order at 6:00 p.m.

C. UNFINISHED BUSINESS

D. NEW BUSINESS

a. Council consideration regarding School Funding

Town Manager Scott spoke on the increase in school funding from the State and that The Town of Newburgh has drafted a letter for the School Bboard to consider returning those excess funds to the Towns by way of reducing the amount of appropriation that we are sending to the School District every month and they're asking other Towns in the RSU to do the same. So that's what Council would be considering tonight.

Motion: *Councilor Jarvi moved Council authorize Town Manager, Paula Scott, to work with the select boards of Winterport, Newburgh and Frankfort to formulate a written request that RSU 22 return the difference between the original proposed budget percentage and the actual 55% State contribution for funding public education towards possible taxation reduction in the RSU 22 communities, seconded by Councilor McPike. Vote 7-0*

Resolution: 2021 - 154

Note: Council will take a five-minute recess at 8:00 p.m.

MONDAY

JULY 26, 2021

6:00 P.M.

AGENDA

- b. Discussion on Broadband, requested by Amy Ryder, Economic Development Director.

Economic Development Director Amy Ryder presented an update on Broadband. After discussion Council consensus directed Amy to find out about the binding commitment of the bond; schedule a public hearing for the 16th and await confirmation and written intent from TDS.

- c. Council consideration on Remote Meeting Policy, referred from Council Workshop.

Town Manager Scott spoke with an update on a Remote Meeting Policy and presented a draft policy for Council to consider.

Motion: Councilor Esposito made a motion to adopt the policy proposed, seconded by Councilor Jarvi.

Motion: Councilor Jarvi moved to amend paragraph 6 of the Draft Policy to read that all votes taken during any meeting, striking a and striking out using a remote method, will be by roll call,- (all votes taken during any meeting will be by roll call), seconded by McPike. Vote 7-0

Resolution: 2021 – 155

After further discussion Mayor Wright called the question to see if the policy is being adopted as amended. Vote by Roll call 6-1 - with Councilor's Cubberley, Erickson, Esposito, Jarvi and Mayor Wright voting in the affirmative and Councilor McPike voting against.

Resolution: 2021 - 156

D. ADJOURNMENT

Meeting adjourned at 7:06 p.m.

*Respectfully submitted,
Gayle C. Decker, Town Clerk*

Note: Council will take a five-minute recess at 8:00 p.m.

PRESS RELEASE
For Immediate Release

Municipal officials are pleased to announce that the **Town of Hampden** has received a **\$9,686** dividend check from the Maine Municipal Association because of its good performance and loss prevention programs.

The Maine Municipal Association offers three self-funded pools for municipal and quasi-public entities in Maine: the Workers Compensation Fund formed in 1978, the Property & Casualty Pool formed in 1987 and the Unemployment Compensation Fund formed in 1978.

The programs are overseen by governing boards of elected and appointed municipal officials. At its May meeting, the board approved another dividend distribution. Actual allocation and eligibility is based on the individual member's own loss experience. Michelle Pelletier, Director of Risk Management Services for MMA, said more than 79 percent of program participants received a dividend this year for their good risk management practices and favorable loss experience.

This year the Workers Compensation Fund has distributed almost **\$725,000** in dividends to participants and the Property and Casualty Pool has paid dividends of nearly **\$600,000**, for total payments of just over \$1.2 million returned directly to MMA members.

Maine Municipal Association has been paying dividends since 1997, the two programs have returned over **\$25 million** to participating members. For more information about any of the MMA Risk Management Services programs, including online training programs and other services, check the offerings on their website at www.memun.org and click on the Risk Management Services link, or call 1-800-590-5583.

Town of Hampden
106 Western Avenue
Hampden, Maine 04444



Phone: (207) 862-3034
Fax: (207) 862-5067
Email:
townmanager@hampdenmaine.gov

July 27, 2021

RSU 22 Board of Directors
24 Main Rd. No.
Hampden, Me. 04444

Dear RSU 22 Board Members:

On behalf of the Hampden Town Council, I write to you regarding the correspondence between Superintendent Nickels and the Newburgh Town Manager which stated that the RSU 22 budget for FY22 was built around a percentage in State funding that was less than the 55% funding which has now been adopted by the State. This correspondence was shared with the Town of Hampden out of a concern for the eventual use of these additional funds, and at a meeting held on July 26th, the Town Council directed me to communicate their sentiment.

It is our understanding that the extra funding can be allocated in only four ways, which are for general fund, reserves, increase in expenditures, or to reduce taxes. It is also our understanding that the Board of Directors for RSU 22 will not be making the decision on how to utilize these additional funds until after contract negotiations are complete.

Believing that any anticipated increases to wages or other benefits due to contract negotiations would have been built into the FY22 budget which has already passed, the Town Council strongly urges you to use the excess funds to reduce the tax burden. As you may know, other school districts and school departments are taking the initiative to do just that, and with strong resolution, the Town Council requests that the RSU 22 Board of Directors does the same.

The Town of Hampden appreciates all of your hard work and dedication and thank you for your consideration of our request.

Respectfully,

Paula A. Scott, Town Manager
obo The Hampden Town Council



Paula Scott <townmanager@hampdenmaine.gov>

Voting

3 messages

Paula Scott <townmanager@hampdenmaine.gov>
To: Peggy Brown <mbrown3394@aol.com>

Mon, Jul 26, 2021 at 10:37 AM

Good morning Peggy,

Hope you are well and that things are getting back to normal for you all, post covid.

I am reaching out to you regarding voting at the Skehan Center. When covid prevented us from voting in the Public Safety building due to safety concerns, we switched the polls to the Skehan Center. I reached out to you then to make sure that it would not pose an issue since voters would be parking in other places beyond our 21 spaces indicated in our lease and you assured us that would not be a problem as you all believe that voting is important.

Since we have subsequently held three elections there during the pandemic, the public has found favor with the location, as has the Town Council. It seems more appropriate to hold elections in a space large enough to accommodate the public, as well as to alleviate concerns about easy access to emergency personnel & services, much of which is confidential, by other members of the public during an election.

We would like to make this change permanent for all elections going forward and the Council has endorsed this suggested move. They did, however, want me to reach out once more and make sure that doing so would not cause an issue. Typically, there are only two elections a year - June and November - unless there is a reason for a special election which is very rare.

I look forward to hearing back from you at your earliest convenience.

Thank you,
Paula A. Scott
Town Manager
Treasurer

Town of Hampden
106 Western Avenue
Hampden, Maine 04444
Tel: (207) 862-3034
Fax: (207) 862-5067

Peggy Brown <mbrown3394@aol.com>

Tue, Jul 27, 2021 at 9:02 AM

Reply-To: Peggy Brown <mbrown3394@aol.com>

To: "townmanager@hampdenmaine.gov" <townmanager@hampdenmaine.gov>

Hello,

Thank you for reaching out to us regarding future voting at the Skehan Center. We are happy to hear that it worked out well for our community. We are fine with the Skehan Center becoming the permanent voting center.

Have a Great Day!

Yours In Hospitality,

Peggy Brown
Lafayette Hotels
207-862-8000

[Quoted text hidden]

7/27/2021

Town of Hampden Mail - Voting

Paula Scott <townmanager@hampdenmaine.gov>
To: Peggy Brown <mbrown3394@aol.com>

Tue, Jul 27, 2021 at 9:07 AM

Hi Peggy,

That is great news and I look forward to sharing it with the Council. We appreciate all of you for your commitment to the community.

Thank you,
Paula A. Scott
Town Manager
Treasurer

Town of Hampden
106 Western Avenue
Hampden, Maine 04444
Tel: (207) 862-3034
Fax: (207) 862-5067

[Quoted text hidden]

C-3-d



MRC
Municipal Review Committee, Inc.



NEWSLETTER

Municipal Review Committee | 20 Godfrey Dr., Ste 213 | Orono, ME 04473 | www.MRCMaine.org

ISSUE 22.1 | July 2021

DTE Purchase of Hampden Facility

MRC Executive Director Michael Carroll has been hitting the road and attended several town council, select board and city council meetings over the past few months both in-person and virtually describing the status and the path forward to reopening the plant with Delta Thermo Energy, the buyer. To keep all members apprised of the latest regarding the sale, as of now, DTE reports that it is awaiting final documentation on the financing. The bondholders and the MRC need those documents to determine that there is sufficient capital to close this sale, and for DTE to be able to operate the plant going forward.

As we understand it, DTE is looking to negotiate a deal that benefits everyone, but there are hurdles. Because of this delay, we hope the closing will be in 30-60 days if the bondholder trustee is satisfied with the financing arrangements made by DTE. Even if we received all the papers tomorrow, the bondholders' legal team, as well as our own, still must review them. This is a multi-faceted, complicated process with a lot at stake for all of us. Once the bondholder trustee and the MRC are confident that DTE has the capital to open and operate the plant, the courts will need to approve the sale and the receiver will execute it.

Just a reminder that the MRC is not selling the plant. There have been conflicting media stories that have **lacked context** regarding this fact. The MRC has been working with the bondholders trustee and counsel on near constant basis to be informed about the status of the plant and its sale.

Our next regular Board of Directors meeting is scheduled for July 28 at 10 AM following the Finance Committee meeting at 9 AM. This is our regular business meeting to provide updates on a range of topics. With that in mind, we have invited DTE CEO Rob Van Nardeen to a virtual Town Hall meeting on Thursday, August 5 at 11 AM to provide a focused update on the financing status and reopening the plant.

If there are any updates between now and our regular board meeting we will be sure to notify our members. Sign up for our Constant Contact emails if you haven't already. We appreciate your support and patience.

UPCOMING MEETINGS

Regular Board Meetings Schedule for 2021

July 28
Finance Committee: 9 AM
Board Meeting: 10 AM
Location: TBD

August 5
Town Hall Meeting: 11 AM
Location: Zoom

October 27
Finance Committee: 9 AM
Board Meeting: 10 AM
Location: TBD



PLASTIC BAG BAN

As of July 1, 2021, Maine retailers are no longer allowed to give out single-use plastic bags or polystyrene foam disposable food containers in most cases.

Thank you Cathy Conlow!

We wanted to add our name to the list of many who are wishing Cathy Conlow well on her next role as the Executive Director of the Maine Municipal Association. Cathy has been an involved leader supporting our organization through difficult times in the past 11 years and all while remaining steadfast to our mission of affordable, environmentally sound disposal of MSW in the long-term. While she serves on the board from our largest member, she never forgot the importance of regional collaboration for members from all sizes while serving as a Board member. We thank you, Cathy for your commitment and leadership to the MRC and look forward to working with you in your new role at MMA!



Governor Mills signs Extended Producer Responsibility (EPR) bill into law

The law's intention is to encourage producers to use more recycling material and more easily recyclable material by charging packaging producers for costs of disposing nonrecyclable packaging material. The fees collected would go to a Maine DEP contracted stewardship organization and used to fund local recycling and waste management initiatives. The devil is in the details though and the MRC will closely follow the rulemaking process at Maine DEP to provide comments on how the law will impact the Hampden plant operations under the new owner.



MRC at Waste Expo

Longtime MRC consultant George Aronson spoke at Waste360's 2021 Waste Expo on June 20 on the What's New with Mixed Waste panel. He brought national attention to the Hampden facility and outlined how and why we are at the stage we're at. The PowerPoint presentation is available on our website under our Document Library. Check it out if you have time!

ABOUT THE MRC

The Municipal Review Committee (MRC) is a non-profit association of Maine communities led by an elected, volunteer board of directors. 115 members have joined together to ensure the affordable, environmentally sound disposal of MSW in the long-term and send their MSW to the facility in Hampden for processing.

Visit www.mrcmaine.org or contact Mike Carroll at 207-664-1700 or execdirector@mrcmaine.org to learn more about the Municipal Review Committee and to add your name to our email contact list.

ARE YOU ON SOCIAL MEDIA?



MRC regularly sends updates and announcements by email to those who have signed up for our alerts. We have active Facebook and Twitter accounts where we share articles and post about events and interact with members. Make sure to "like" or follow us through your town's accounts too! **Also, we're on YouTube!** Please subscribe and hit that notification bell so that you don't miss any of our uploads!



Public Forum

There will be a public forum on Tuesday, August 3rd at 5:00 at the Town Office to hear input from citizens about the Transfer Station operations. This is intended on being a thoughtful exchange of ideas where you can tell us your concerns, ask questions, and hear from town staff.

Before the conclusion of the forum, we will take names of those in attendance who would be interested in serving on a committee to compile the comments and ideas and work to develop reasonable improvements within the confines of our DEP permit.

To join by phone call 1-475-329-7369 followed by the pin 259 344 897 #

To join from a computer go to meet.google.com/xgj-ayqu-quy

**Memorandum**

TO: Town Council
FROM: Paula Scott, Town Manager
DATE: July 29, 2021
RE: Casella response to Drumlin report

This memo is provided just to preface the presentation by Casella for Council edification.

After the public hearing at which Matt from Drumlin Associates gave the report on the water quality at the landfill, I was contacted by Wayne Moody of Casella who met with me in my office. He stated that he and other key people at Casella had not been noticed regarding the meeting. He informed me that they had heard about it and attended, but because they had no prior knowledge, weren't prepared to speak to some of the information presented.

In checking with Wanda, the abutter notice was sent to Casella, but unfortunately, the only mailing address we had was for their parent company in Texas which is where the notice went. Because of this oversight, Mr. Moody requested an opportunity to respond to Matt's report. I agreed that he and his company's representatives should have an opportunity to discuss the report and answer any questions you or members of the public might have.

July 27, 2021

Ms. Paula Scott
Town Manager
106 Western Ave
Hampden ME 04444

Subject: Pine Tree Landfill
Drumlin Environmental Review of Annual 2020 Water Quality Data

Dear Ms. Scott:

Drumlin Environmental, LLC (Drumlin), the Town of Hampden's (Town) environmental consultants, submitted a memorandum (memo) to you and the Hampden Environmental Trust on July 12, 2021 to update the Town on the conditions at the New England Waste Services of Maine (NEWSME) Pine Tree Landfill (PTL). Drumlin's memo summarized both the 2020 Annual Report and the April 2021 Water Quality Data results that were prepared by Sevee & Maher Engineers, Inc. (SME) on NEWSME's behalf.

Matt Reynolds of Drumlin presented the memo to the Hampden Town Council on July 19, 2021. PTL abutters were notified of the meeting and Drumlin's memo and presentation were posted on the Town's website one week prior. NEWSME and SME were notified of the meeting on July 17th and representatives from each organization were in attendance. In general, NEWSME and SME agreed with Drumlin's assessment of the site with regards to several specific conductivity trends and the need to continue using the gas and groundwater extraction wells, two corrective actions currently in place at PTL. There were a few statements and recommendations in Drumlin's memo with which NEWSME and SME did not agree that are discussed herein.

Below is a summary of the PTL post-closure water quality threshold criteria for reference followed by responses to a few key topics discussed in Drumlin's memo.

PINE TREE LANDFILL ENVIRONMENTAL MONITORING PLAN WATER QUALITY THRESHOLD CRITERIA

The PTL Post-Closure Environmental Monitoring Plan (EMP) was submitted to the Maine Department of Environmental Protection (MEDEP) for review in May 2011. MEDEP indicated acceptance of the EMP as part of their 2010 Water Quality Report review memo dated August 16, 2011. The EMP established threshold criteria to evaluate the site groundwater over the post-closure period in order to demonstrate successful corrective action, as defined during the Department's review of the site-wide closure plan and included in the Department Closure Order. The water quality threshold criteria are:

- Off-site groundwater quality:

- Tested water quality parameters below applicable groundwater United States Environmental Protection Agency (U.S.EPA) Maximum Contaminant Levels (MCLs) and Maine Maximum Exposure Guidelines (MEGs),
- The 95 percent upper confidence level for specific conductance at off-site private water supply wells below 400 micromhos per centimeter ($\mu\text{mhos/cm}$), and
- Dissolved methane at off-site private water supply wells less than 700 micrograms per liter ($\mu\text{g/L}$).
- On-site groundwater quality:
 - Specific conductance at on-site monitoring locations less than 500 $\mu\text{mhos/cm}$.
- Off-site surface water quality:
 - Meet surface water quality classifications established in 38 MRSA Sections 465 through 465-B.

Off-site surface water quality meets existing water quality classification standard.

GROUNDWATER QUALITY MONITORING FREQUENCY FOR POST-CLOSURE MONITORING YEARS 2021-2040

As initially proposed in the original PTL post-closure EMP¹, the PTL 2020 Water Quality Report² Conclusions and Recommendations section proposes reducing the groundwater quality monitoring frequency from twice per year to once per year for post-closure monitoring years 2021 through 2040. Similarly, and also included in the original post-closure EMP, a groundwater quality monitoring frequency reduction from three times per year to two times per year for post-closure monitoring years 2016 through 2020 was proposed in the PTL 2015 Water Quality Report³ and was approved by MEDEP. This practice is consistent with state practices and with Chapter 405, Section 2 (Water Quality Monitoring) which notes that the sampling frequency and parameters for closed landfills are expected to decrease throughout the post-closure period.

On behalf of NEWSME, SME reached out to MEDEP on March 19, 2021 regarding the proposed reduction in monitoring frequency since, if established, it would eliminate the April 2021 groundwater quality monitoring event. MEDEP responded on April 1, 2021, stating they wanted to first review the PTL 2020 Water Quality Report and the April 2021 groundwater quality monitoring results. The 2020 PTL Water Quality Report was submitted to MEDEP in April 2020 and the results of the April 2021 groundwater monitoring quality were submitted to the MEDEP on June 23, 2021. As of now, SME has not received a response from MEDEP regarding the proposed reduction in groundwater quality monitoring frequency from two times per year to one time per year.

In their July 12, 2021 memo, Drumlin recommends “reducing the monitoring frequency to once-per-year in some wells (e.g., 906B, where the target criteria are consistently achieved), but maintaining a twice per year frequency in other wells (e.g., wells with rising trends)”.

¹ SME, 2011. Post-Closure Environmental Monitoring Plan, Pine Tree Landfill, Hampden, Maine. January 2011.

² SME, 2021. 2020 Water Quality Report, Pine Tree Landfill, Hampden, Maine. April 2021.

³ SME, 2016. 2015 Water Quality Report, Pine Tree Landfill, Hampden, Maine. April 2016.

It is SME's understanding that Drumlin's recommendations regarding proposed groundwater quality monitoring frequency changes at the PTL will be presented by the Town of Hampden to the MEDEP for consideration. The fall 2021 groundwater quality monitoring event will occur regardless of a one time or two time per year monitoring frequency. This allows time (i.e., prior to spring 2022) for MEDEP to review both SME's recent water quality data submissions and Drumlin's memorandum prior to further discussion on the PTL groundwater quality monitoring frequency moving forward. SME and NEWSME continue to endorse reducing the monitoring frequency to once per year. Given the significant volume of data obtained to date, sampling once per year will allow plenty of opportunity to assess trends in water quality and progress toward water quality threshold criteria.

DISCUSSION OF DATA TRENDS

Drumlin provided an assessment of trends for specific conductance or total dissolved solids (TDS) through April 2021 in their July 12, 2021 memo. In their assessment, Drumlin designated six monitoring locations as having a 5-year upward trend for specific conductance or TDS. Five of these six monitoring locations (MW03-802A, MW03-803A, MW03-803B, P-914A, and P-914B) are associated with the previously discussed condition in the landfill cover on the southwest side of the landfill that lead to leachate impact to soils and groundwater.⁴ The sixth monitoring location that Drumlin designated as having a five-year upward trend for specific conductance or TDS is residential well DW-103.

We are not certain whether Drumlin is using a qualitative (i.e., visual) approach or statistical approach to designating trends. Below, we present SME's statistical assessment of trends for comparison to Drumlin's assessment for sitewide monitoring locations, and also our visual/qualitative assessment of trends for monitoring locations associated with leachate impacts since NEWSME repaired conditions in the landfill cover on the southwest side of the PTL. Our discussion here is limited to trends for specific conductance given its significance with regard to post-closure threshold criteria and since TDS is not measured at every monitoring location.

The Mann-Kendall analyses for statistically significant trends for the past three years and five years through April 2021 (i.e., including the April 2021 monitoring event) is included as Attachment 1. The Mann-Kendall trend analysis indicates that only one of the groundwater and surface water monitoring locations at the PTL, P-914B, currently has a five-year statistically significant increasing trend for specific conductance, and that no monitoring locations currently have three-year statistically significant increasing trends for specific conductance. There are six groundwater monitoring locations and three surface water monitoring locations that currently have three-year and/or five-year statistically significant decreasing trends for specific conductance.

Table 1 summarizes the comparison of Drumlin's designated predominant specific conductance or TDS five-year trends compared to the Mann-Kendall statistically significant five-year trend analyses for specific conductance. As a reminder, SME's assessment is confined to specific conductance since it is the only

⁴ NEWSME identified a condition in the landfill cover on the southwest side of the landfill on June 21, 2016. Leachate was noted to be draining from several defects in the cover onto the soils surrounding the landfill. The length of time that this condition existed is unknown. The condition was reported to the MEDEP on the same day; NEWSME then removed the visually impacted soils and repaired the cover during the week of July 10, 2016.

threshold criterion for on-site groundwater, and since TDS is not measured at every monitoring location. We understand that this is not a direct comparison, but useful for discussion. There are five monitoring locations designated by Drumlin as having a five-year specific conductance or TDS increasing trend where no trend is shown by the Mann-Kendall analysis for specific conductance. There are three monitoring locations designated by Drumlin as having no trends for specific conductance or TDS over the past five years where decreasing trends are shown by the Mann-Kendall analysis for specific conductance.

TABLE 1

PTL SPECIFIC CONDUCTANCE TRENDS

Monitoring Location	Drumlin's Designated Predominant Specific Conductance or TDS 5-Year Trend ^{1,2}	Mann-Kendall 5-Year Trend Analysis 95% Confidence (alpha=0.05) for Specific Conductance ³
200	None	None
641	None	None
MW-906B	None ⁴	Down
MW02-801A	Down	Down
MW02-801B	None	None
MW03-802A	Up	None
MW03-802B	None	Down
MW03-803A	Up	None
MW03-803B	Up	None
MW03-804A	None	None
P-914A	Up	None
P-914B	Up	Up
516B-B	None	Down
MW98-601A	Down	Down
MW98-601B	None	None
MW01-602B	None	None
MW97-123	None	None
509A	None	None
509B	None	None
P-911B	None	None
916	None	None
917	None	None
DW04-109	None	None
DW-103	Up	None
SW-A	None	None
SW-C	None	None
SW-D	None	None
SW-E	None	None

Notes:

¹ For data through April 2021.

² Drumlin Environmental, LLC (Drumlin) July 12, 2021 memorandum to Paula Scott and the Hampden Environmental Trust with subject *Pine Tree Landfill – Past Closure Monitoring Review & Update* 5/1/2016 to 5/1/2021.

³ Highlighted text indicated a discrepancy between Drumlin's designated predominant specific conductance or TDS trends and the Mann-Kendall analysis results for specific conductance.

In general, monitoring locations south and southwest of the landfill have been affected by the leachate formerly leaking from the southwest PTL cover defect. Drumlin states in their memo that the “cover repair does not appear to have been sufficient to reverse the upward trend;” however, the current Mann-Kendall statistically significant trend analysis for specific conductance indicates that the cover repair does appear to have stabilized or reversed trends. Table 2 shows the Mann-Kendall statistically significant trend analyses results for specific conductance through 2017 compared to through April 2021 at southwest and west monitoring locations that appear to have been influenced by the PTL’s former southwest cover defects. Box and whisker plots of specific conductance data with fast-Fourier transform smoothing of yearly mean values are included as Attachment 2 to aid in visualizing the improvements to groundwater quality following the cover repairs in 2016. One example (from monitoring location MW03-802B is provided in Figure 1 and shows a response in water quality following completion of repairs to the liner conducted by NEWSME in 2016.

TABLE 2
PTL SPECIFIC CONDUCTANCE MANN-KENDALL RESULTS THROUGH 2017
COMPARED TO THROUGH APRIL 2021 AT SOUTHWEST AND WEST MONITORING LOCATIONS

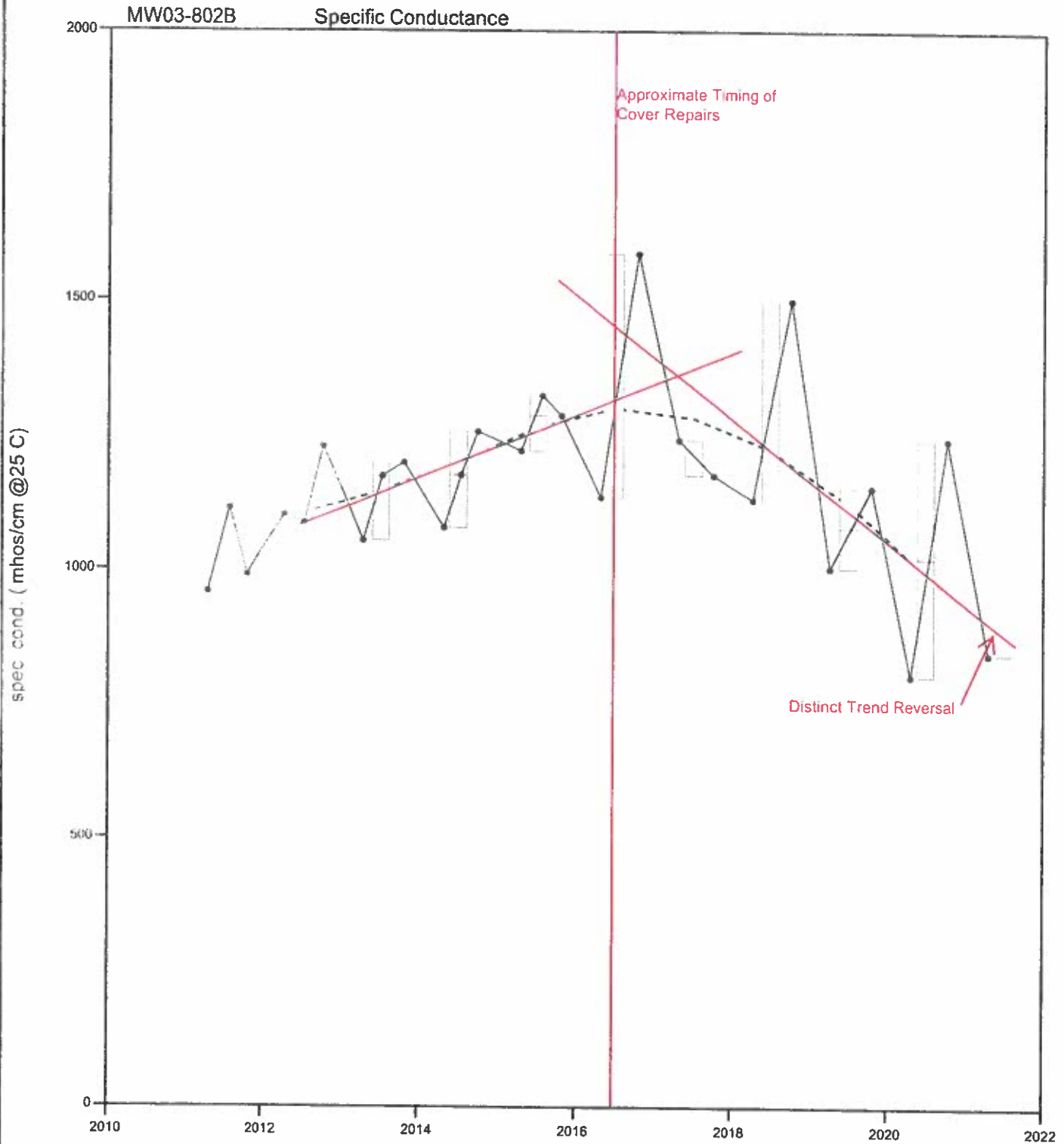
Monitoring Location	Mann-Kendall Trend Analysis 95% Confidence (alpha=0.05) for Specific Conductance through 2017	Mann-Kendall Trend Analysis 95% Confidence (alpha=0.05) for Specific Conductance through April 2021	Comments (View Box and Whisker Plots in Attachment 2)
MW03-802A	None (3-year) Decreasing (5-year)	None (3-year) None (5-year)	MW03-802A is the deeper bedrock well that is a companion to shallower bedrock well MW03-802B. Impact from cover defect appears to be delayed at MW03-802A.
MW03-802B	None (3-year) Increasing (5-year)	None (3-year) Decreasing (5-year)	Distinct reversal in trend following cover repair starting in approximately 2017.
MW03-803A	Increasing (3-year) Increasing (5-year)	None (3-year) None (5-year)	Distinct stabilization following cover repair starting in approximately 2018.
MW03-803B	Increasing (3-year) Increasing (5-year)	None (3-year) None (5-year)	Subtle recent stabilization.
MW03-804A	None (3-year) Increasing (5-year)	None (3-year) None (5-year)	Distinct reversal in trend following cover repair starting in approximately 2018.
P-914A	Increasing (3-year) Increasing (5-year)	None (3-year) None (5-year)	Distinct stabilization following cover repair starting in approximately 2018.
P-914B	Increasing (3-year) Increasing (5-year)	None (3-year) Increasing (5-year)	Subtle recent stabilization.

Table 2 demonstrates an overall improvement to groundwater quality with respect to specific conductance values at the southwest and west monitoring locations. Additional improvement to groundwater quality southwest and west of the PTL are expected with more time since the 2016 cover repairs.

DISCUSSION OF SOURCE OF WATER QUALITY IMPACTS SEEN DURING POST-CLOSURE SOUTHWEST AND SOUTH OF THE PTL

Drumlin states in their memo that “based on water quality, it is difficult to attribute the upward trend to the leachate leak that was identified and repaired in 2016 (i.e., 5 years ago). Lower rates of methane removal and other, as yet identified, factors are likely to contribute to this trend.” SME does not agree with this statement. As presented in Table 2, improvements to specific conductance values are evident at southwest

Red trend lines indicate visual interpretation and are qualitative



LEGEND

- Maximum Value
- 75th Percentile
- Median
- 25th Percentile
- Minimum Value
- FFT smoothing of yearly mean values.
- Sample Event
- BDL

Pinetree Landfill

MW03-802B

Sevee & Maher Engineers, Inc.

and west monitoring locations. The timing of the improvements varies based on the monitoring locations and depth (i.e., dependent on distance from the source and direction of groundwater flow), as is expected, and improvements are evident starting within a year to up to five years after the cover repairs. These timeframes are generally consistent with SME's experience with groundwater quality monitoring in Maine glacial till and bedrock where travel times are measured in feet per year.

Post-closure water quality data also do not suggest that the subject impacts to groundwater quality southwest and west of the PTL result from landfill methane. As a contrast and as often discussed in past PTL annual water quality reports, the east side of the PTL is influence predominantly by methane and not by leachate. The primary lines of evidence for this conclusion are historical detections of elevated dissolved methane and bicarbonate and low concentrations of key leachate indicator parameter chloride. (Please note that dissolved methane concentrations at monitoring locations east of the PTL are currently low or non-detect, attributed to gas extraction; we offer this discussion only to provide contrast for observations at the southwest monitoring locations).

The subject impacts to groundwater quality southwest and west of the PTL are more consistent with influence from leachate rather than from landfill methane. Southwest monitoring location MW03-803B water quality data, as an example, demonstrates a substantial decrease in dissolved methane concentration after 2014. The 2020 dissolved methane concentration at MW03-803B of 360 µg/L has decreased from a historical maximum concentration of 7,160 µg/L in 2010. Additionally, bicarbonate, a key indicator of influence from landfill methane, has generally decreased during post-closure. The former increasing specific conductance trends at MW03-803B coincided with increasing concentrations for chloride, which indicates influence from leachate. Chloride was detected at a new historical maximum value of 260 mg/L in April 2020 but has since begun to decrease and was detected at a concentration of 52 mg/L in April 2021.

LEACHATE RECIRCULATION AND THE GAS TO ENERGY PLANT

Leachate recirculation was implemented at PTL in 2011 to enhance methane production during the post-closure period. The program was put into place to help stabilize PTL's diminishing gas curve, caused by a reduction of moisture, associated with the installation of the landfill's final cover system. In 2008, 3-Jenbacher JG320 engines were installed when the PTL Gas-to-Energy (GTE) facility was brought online. These engines were intended to run solely off of PTL's landfill gas.

After leachate recirculation began, evidence of enhanced methane production was noticed, but never enough to completely reverse the overall diminishing gas trend. As years went on PTL staff recirculated an average of 4 million gallons annually between 2011-2016. In 2016, a leachate leak was identified, which escaped through the final cover system. The cause was two of the four leachate recirculation trenches (LRT #1 and LRT #4). After this occurrence, the two problematic recirculation trenches were discontinued, and the leachate recirculation program reevaluated. Beginning in 2018, PTL staff thought it was best to reduce leachate recirculation flows to minimize risk of reoccurrence. Moving forward, only bleed water from PTL's Thiopaq Landfill Gas Treatment Facility and landfill gas condensate from two GTE pump stations would be recirculated through the remaining two recirculation trenches.

On January 29, 2021, the PTL GTE was closed due to decreasing methane generation and lower hydrogen sulfide concentrations within the gas. A review of the data and landfill conditions determined further recirculation would not generate the volume of methane needed to run the GTE facility.

NEWSME and SME do not expect additional odors or uncontrolled gas emissions due to the closure of the GTE facility. The three landfill gas engines have been discontinued and NEWSME will continue to monitor, collect, and combust the generated landfill gas to ensure emissions continue to be captured and combusted through a flare. Flare combustion efficiencies are assumed to be roughly 98 percent to 99 percent effective and this is higher than typical GTE engine efficiencies. Flaring of methane at PTL is in compliance with ambient air quality standards and with PTL's air license.

FUTURE CORRECTIVE ACTIONS

Based on trends observed in the 2020 annual water quality report and the results of the April 2021 monitoring event, SME anticipates continued improvement in water quality as the existing gas extraction wells, passive gas trench, perimeter drain pump station (PDPS), and recently repaired groundwater extraction wells continue to operate. SME will continue to monitor the water quality at the wells for statistically significant trends and threshold criteria parameters.

SME and NEWSME will continue to work with MEDEP to ensure that existing corrective actions are optimized and to determine whether post-closure monitoring results suggest the need to consider additional corrective actions.

CONCLUSION

The post-closure monitoring objective is to identify that the water quality threshold criteria identified in the post-closure EMP have been met by the end of 30 years. PTL is currently only one-third of the way through the post-closure monitoring period and post-closure water quality monitoring at PTL has generally shown an overall improvement since monitoring began. The improvement to groundwater quality with respect to specific conductance values at the southwest and west monitoring locations (see Table 2) following the 2016 southwest PTL cover repairs provides optimism that groundwater southwest and south of the PTL will begin to exhibit sustained decreasing trends (as are seen to the south/southeast and northeast).

The 2020 and April 2021 water quality monitoring data demonstrate that corrective actions implemented, such as the groundwater and gas extraction wells, the PDPS, and the passive gas trench, have had an overall effect of improving groundwater quality at the site during post-closure. SME anticipates continued improvement in water quality and will continue monitoring in accordance with the post-closure EMP. SME and NEWSME will continue to work with MEDEP to ensure that existing corrective actions are optimized and to determine whether post-closure monitoring results warrant additional corrective actions.

It is SME's opinion that the monitoring frequency reduction initially proposed in the post-closure EMP is reasonable given the amount data that has been collected during post-closure thus far. SME and NEWSME continue to endorse the monitoring frequency proposed in the 2020 annual report. SME and NEWSME look forward to feedback from MEDEP on water quality and monitoring frequency.

Very truly yours,

SEVEE & MAHER ENGINEERS, INC.



Erik M. Clapp, PhD, L.G
President / Principal

Attachments

cc: Wayne Boyd, NEWSME
Toni King, NEWSME
Jeffrey Pelletier, NEWSME

ATTACHMENT 1

MANN-KENDALL TREND ANALYSES RESULTS

Summary of Mann-Kendall Trend Analysis
95% Confidence (alpha=0.05)
Pinetree Landfill 2021

M-K 3-Year post-closure: 5/1/2018 to 5/1/2021

M-K 5-Year post-closure: 5/1/2016 to 5/1/2021

LOCATION	Increasing Trends		Decreasing Trends		NoTrends	
	3 Year	5 Year	3 Year	5 Year	3 Year	5 Year
200		K	Spec Cond		OC, Cl, HCO3, SO4, TDS, Na, K, Mg, Ca, As, DO, Eh, Water Elev., WLE NGVD29ft, pH, Temp, Fe	HCO3, Spec Cond, OC, SO4, TDS, Na, Ni, Mn, Mg, Pb, Co, Ca, As, DO, Eh, Water Elev., WLE NGVD29ft, pH, Temp, Cl, Fe
509A		pH		DO	WLE NGVD29ft, DO, Spec Cond, Water Elev., Temp, pH, Eh	WLE NGVD29ft, Water Elev., Temp, Spec Cond, Eh
509B		Fe	Eh	Mn, HCO3, Eh, Na	Mg, Spec Cond, Cl, OC, HCO3, SO4, TDS, Na, K, pH, Ca, As, DO, Water Elev., WLE NGVD29ft, Fe, Temp	pH, Cl, OC, SO4, TDS, K, Ni, Spec Cond, Pb, Co, Ca, As, DO, Water Elev., Temp, Mg, WLE NGVD29ft
516B-B			TDS, DO	Ca, DO, Spec Cond	Na, SO4, HCO3, OC, Ca, K, Cl, Mg, Fe, Spec Cond, As, Eh, Temp, pH	Cl, OC, HCO3, Ni, SO4, TDS, Na, Mn, K, Mg, pH, Pb, Fe, Co, As, Eh, Temp
641					Mg, K, Na, TDS, SO4, Fe, Cl, OC, HCO3, As, DO, Eh, Water Elev., WLE NGVD29ft, Temp, pH, Spec Cond, Ca	Mg, Ni, K, Na, TDS, SO4, HCO3, Methane, Cl, Pb, OC, pH, Co, Spec Cond, Ca, As, DO, Eh, Water Elev., WLE NGVD29ft, Temp, Fe, Mn
DW04-109			Methane	Methane, Cl	Spec Cond, DO, Eh, WLE NGVD29ft, Temp, pH, Water Elev.	Mg, OC, HCO3, SO4, TDS, Na, K, Ni, Mn, Spec Cond, Fe, Co, Ca, As, DO, Eh, Water Elev., WLE NGVD29ft, Temp, Pb, pH
DW-103		TDS			Methane, pH, Temp, Eh, DO, Spec Cond	Methane, Cl, OC, HCO3, SO4, K, Ni, Mn, Mg, pH, Pb, Temp, Eh, DO, As, Ca, Spec Cond, Co, Fe, Na
LCS-3C			Na, TDS, SO4, As, OC, Cl, Spec Cond, K, Mg	Cl, Ca, Mg, Spec Cond, K, TDS, Na	HCO3, Ca, pH, DO, Eh, Temp, Fe	Ni, SO4, OC, HCO3, Mn, Pb, Fe, As, Methane, DO, Eh, Temp, pH, Co
MW01-602B					Water Elev., Eh, WLE NGVD29ft, Temp, pH, Spec Cond, DO	Water Elev., DO, Eh, Temp, WLE NGVD29ft, Spec Cond, pH
MW02-801A			Mg, Spec Cond, TDS, Na	HCO3, Ni, K, Na, TDS, Mg, Spec Cond, Methane	Fe, Cl, OC, HCO3, SO4, Ca, pH, As, DO, Eh, Water Elev., WLE NGVD29ft	OC, Cl, Mn, SO4, Fe, Co, Ca, As, DO, Eh, Water Elev., WLE NGVD29ft, Temp, pH, Pb
MW02-801B					Temp, DO, Eh, WLE NGVD29ft, pH, Spec Cond, Water Elev.	WLE NGVD29ft, Eh, Water Elev., pH, Spec Cond, DO, Temp
MW03-802A	Na		Temp	Temp, SO4	Fe, Cl, OC, HCO3, SO4, TDS, Mg, Spec Cond, Ca, As, DO, Eh, Water Elev., WLE NGVD29ft, pH, K	K, Methane, Cl, OC, HCO3, Na, Ni, Mn, Mg, Water Elev., TDS, Pb, Spec Cond, WLE NGVD29ft, Eh, DO, As, Ca, Co, Fe, pH
MW03-802B				Mg, Spec Cond, Ca, Eh, DO	Eh, Water Elev., WLE NGVD29ft, Temp, Spec Cond, DO, pH	K, Na, Methane, TDS, SO4, HCO3, Cl, Ni, OC, Pb, Fe, As, Water Elev., WLE NGVD29ft, Temp, pH, Co, Mn
MW03-803A				DO, Temp	Water Elev., DO, Eh, WLE NGVD29ft, Temp, Spec Cond, pH	OC, Mg, Mn, Ni, K, Pb, TDS, Na, Fe, Co, Ca, As, Water Elev., WLE NGVD29ft, pH, Spec Cond, HCO3, Eh, Cl, Methane, SO4
MW03-803B		K, pH, TDS, Na, Mg		Temp	Mg, Cl, OC, Spec Cond, HCO3, SO4, TDS, Na, K, pH, Ca, As, DO, Eh, Water Elev., WLE NGVD29ft, Fe, Temp	Methane, Cl, OC, HCO3, SO4, Mn, Eh, Spec Cond, Ni, Water Elev., Pb, DO, As, Ca, Co, Fe, WLE NGVD29ft
MW03-804A					DO, Eh, Water Elev., WLE NGVD29ft, Temp, pH, Spec Cond	Spec Cond, pH, Temp, WLE NGVD29ft, Water Elev., Eh, DO
MW-906B				Na, Spec Cond	pH, TDS, Spec Cond, Cl, OC, SO4, Na, K, Mg, WLE NGVD29ft, HCO3, Temp, Fe, Water Elev., Eh, DO, As, Ca	Cl, OC, HCO3, pH, TDS, K, Ni, Mn, Mg, Temp, Fe, Co, Ca, As, DO, Eh, Water Elev., WLE NGVD29ft, Pb, SO4

MW-916		DO, pH			Mg, Water Elev., OC, HCO3, SO4, TDS, Na, K, Cl, pH, DO, Spec Cond, Fe, Temp, WLE NGVD29ft, Eh, As, Ca	Methane, Cl, OC, HCO3, Ni, SO4, TDS, Na, K, Pb, Temp, Mg, WLE NGVD29ft, Water Elev., Eh, As, Co, Fe, Mn, Spec Cond, Ca
MW-917			Fe, TDS, As	Cl, Fe, As	SO4, HCO3, Na, K, Mg, Cl, pH, Ca, OC, Temp, Spec Cond, WLE NGVD29ft, Water Elev., Eh, DO	OC, Ni, K, Na, TDS, Methane, HCO3, Mn, SO4, WLE NGVD29ft, Mg, Temp, Spec Cond, Water Elev., Eh, DO, Ca, Co, Pb, pH
MW97-123					Eh, Mg, OC, HCO3, SO4, TDS, Na, K, Cl, Fe, Ca, DO, Water Elev., WLE NGVD29ft, Temp, pH, Spec Cond, As	Na, Spec Cond, Mn, Ni, K, TDS, SO4, HCO3, Cl, Fe, OC, Co, Ca, As, DO, Eh, Water Elev., WLE NGVD29ft, Temp, pH, Pb, Mg
MW98-601A			Spec Cond	Spec Cond, Eh	Water Elev., Eh, DO, pH, Temp, WLE NGVD29ft	DO, Water Elev., WLE NGVD29ft, Temp, pH
MW98-601B					Spec Cond, pH, Temp, WLE NGVD29ft, Water Elev., Eh, DO	DO, Eh, Water Elev., Spec Cond, WLE NGVD29ft, pH, Temp
P-911B					Temp, DO, Eh, WLE NGVD29ft, pH, Spec Cond, Water Elev.	DO, Eh, Water Elev., WLE NGVD29ft, Temp, pH, Spec Cond
P-914A	TDS, K	Ca, Mg, TDS			Mg, Cl, OC, HCO3, SO4, Na, Eh, Ca, DO, As, Water Elev., WLE NGVD29ft, Temp, pH, Spec Cond, Fe	OC, HCO3, SO4, Na, K, Ni, Mn, Cl, Pb, Fe, As, DO, Eh, Water Elev., WLE NGVD29ft, Temp, pH, Spec Cond, Co
P-914B		Spec Cond, DO			Temp, DO, Eh, WLE NGVD29ft, pH, Spec Cond, Water Elev.	Eh, pH, Temp, WLE NGVD29ft, Water Elev.
PDPS		Ca	OC	As	Mg, Fe, Cl, HCO3, SO4, TDS, Na, Spec Cond, Ca, As, DO, Eh, Temp, pH, K	Ni, Methane, Cl, OC, HCO3, SO4, TDS, K, Mn, Spec Cond, Pb, Fe, Co, DO, Eh, Temp, pH, Mg, Na
SW-A	DO		Spec Cond		K, HCO3, SO4, TDS, Na, OC, Mg, Fe, Ca, Eh, Cl, Temp, pH, As	K, Na, Cl, TDS, Eh, SO4, HCO3, Mn, OC, As, Mg, Spec Cond, pH, Temp, DO, Ca, Fe
SW-C			Spec Cond		TDS, pH, Cl, OC, SO4, Na, K, Temp, Fe, Ca, As, DO, Eh, Mg, HCO3	Mg, Mn, OC, HCO3, SO4, TDS, Na, Cl, pH, Fe, Ca, As, DO, Eh, Temp, K, Spec Cond
SW-D					Mg, Cl, Na, TDS, SO4, OC, Fe, HCO3, As, DO, Eh, Temp, pH, Spec Cond, K, Ca	K, Na, Cl, TDS, SO4, OC, Eh, Mn, HCO3, Fe, Ca, DO, Temp, pH, Spec Cond, As, Mg
SW-E			Spec Cond, TDS		Na, SO4, K, OC, Eh, HCO3, Mg, Fe, Ca, DO, Temp, pH, Cl, As	OC, K, Na, TDS, Mn, HCO3, Eh, SO4, Mg, Fe, Ca, DO, Temp, pH, Spec Cond, Cl, As

Key

As = Arsenic

Co = Cobalt

Fe = Iron

Methane = Methane

Na = Sodium

Pb = Lead

Spec Cond = Specific Conductance

Turb = Turbidity

Ca = Calcium

DO = Dissolved Oxygen

HCO₃ = Bicarbonate Alkalinity (CaCO₃)

Mg = Magnesium

Ni = Nickel

pH = pH

TDS = Total Dissolved Solids

Water Elev. = Water Level Elevation

Cl = Chloride

Eh = Eh

K = Potassium

Mn = Manganese

OC = Organic Carbon

SO₄ = Sulfate

Temp = Temperature

- Values below the laboratory PQL (non-detects) are divided by 2. All other data qualifiers are ignored but any associated value is used.
- Samples collected for data quality control are not analyzed.
- Data sets with less than 5 data points are not analyzed.
- Data sets with a period shorter than the intended period of analysis (e.g. 3-yr analysis or 5-yr analysis) are not analyzed.
- Significant events in historical data can affect the distribution in a way that compromises the assumption of a monotonic data set. Events could include the cessation of filtering, a spill, changing sampling protocols or analytical method changes that alter the detection limit.

REFERENCES:

State of Wisconsin, Department of Natural Resources, Remediation and Redevelopment Program Mann-Kendall Statistical Test, Form 4400-215 (2/2001)

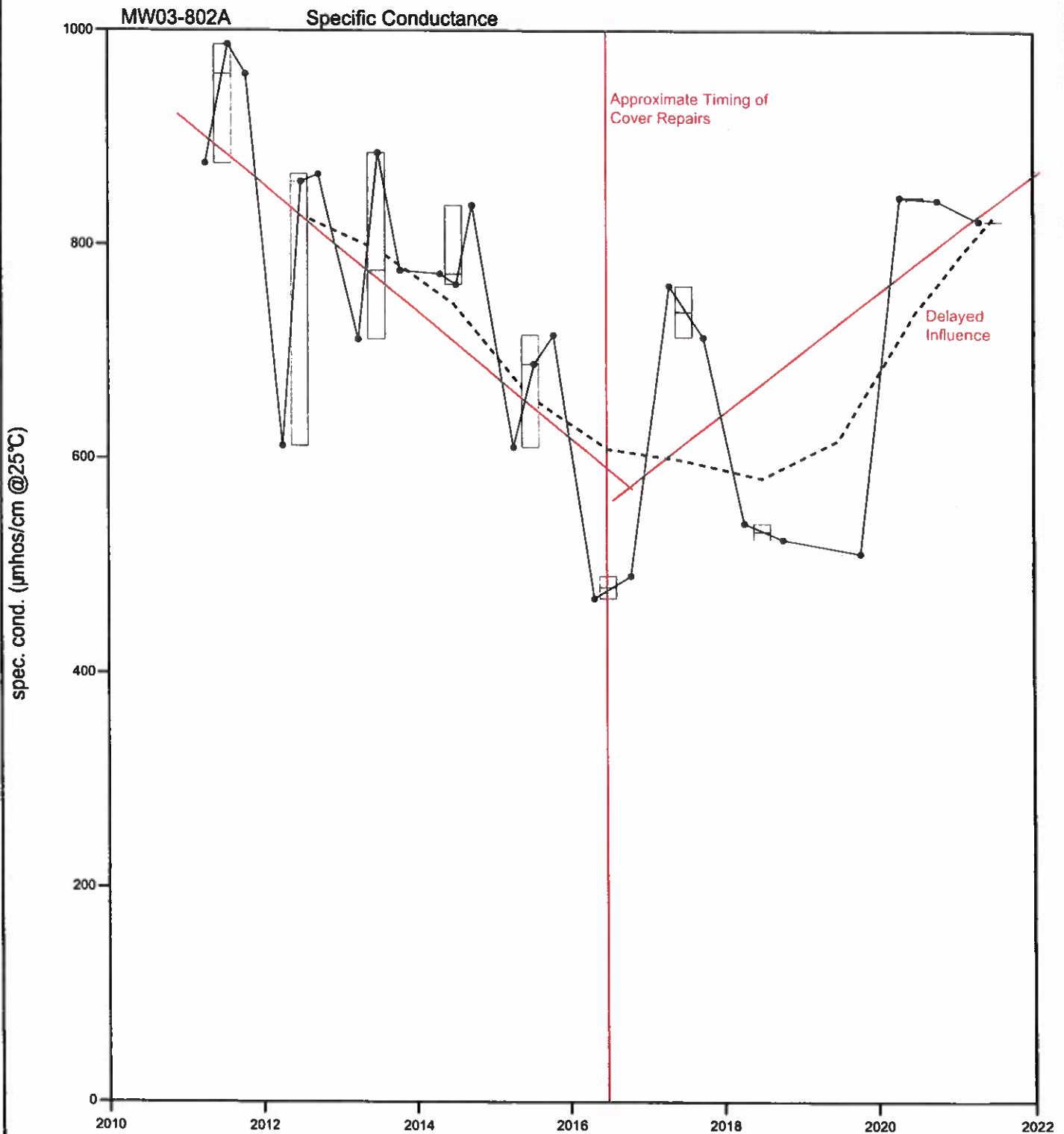
Gilbert, R.O., Statistical Methods for Environmental Pollution Monitoring, Van Nostrand Reinhold, 1987, pp. 204 – 240 and 272.

Hollander, M. and Wolfe, A.M Nonparametric Statistical Methods, John Wiley Sons, 1999

ATTACHMENT 2

SPECIFIC CONDUCTANCE BOX AND WHISKER PLOTS

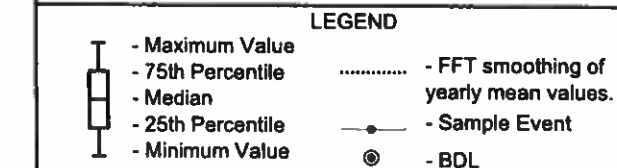
Red trend lines indicate visual interpretation and are qualitative



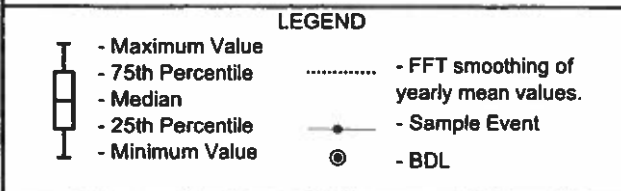
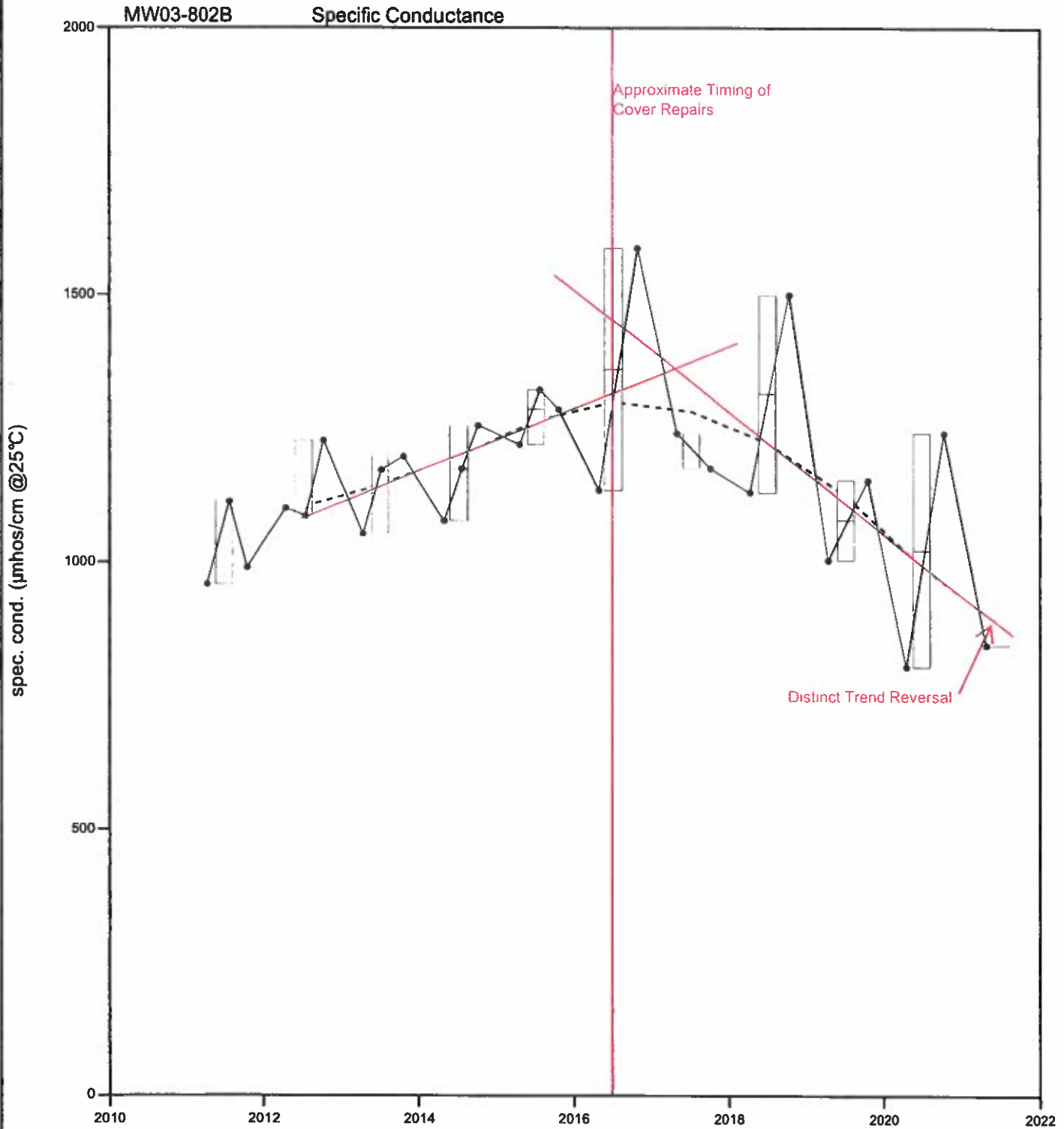
Pinetree Landfill

MW03-802A

Sevee & Maher Engineers, Inc.



Red trend lines indicate visual interpretation and are qualitative

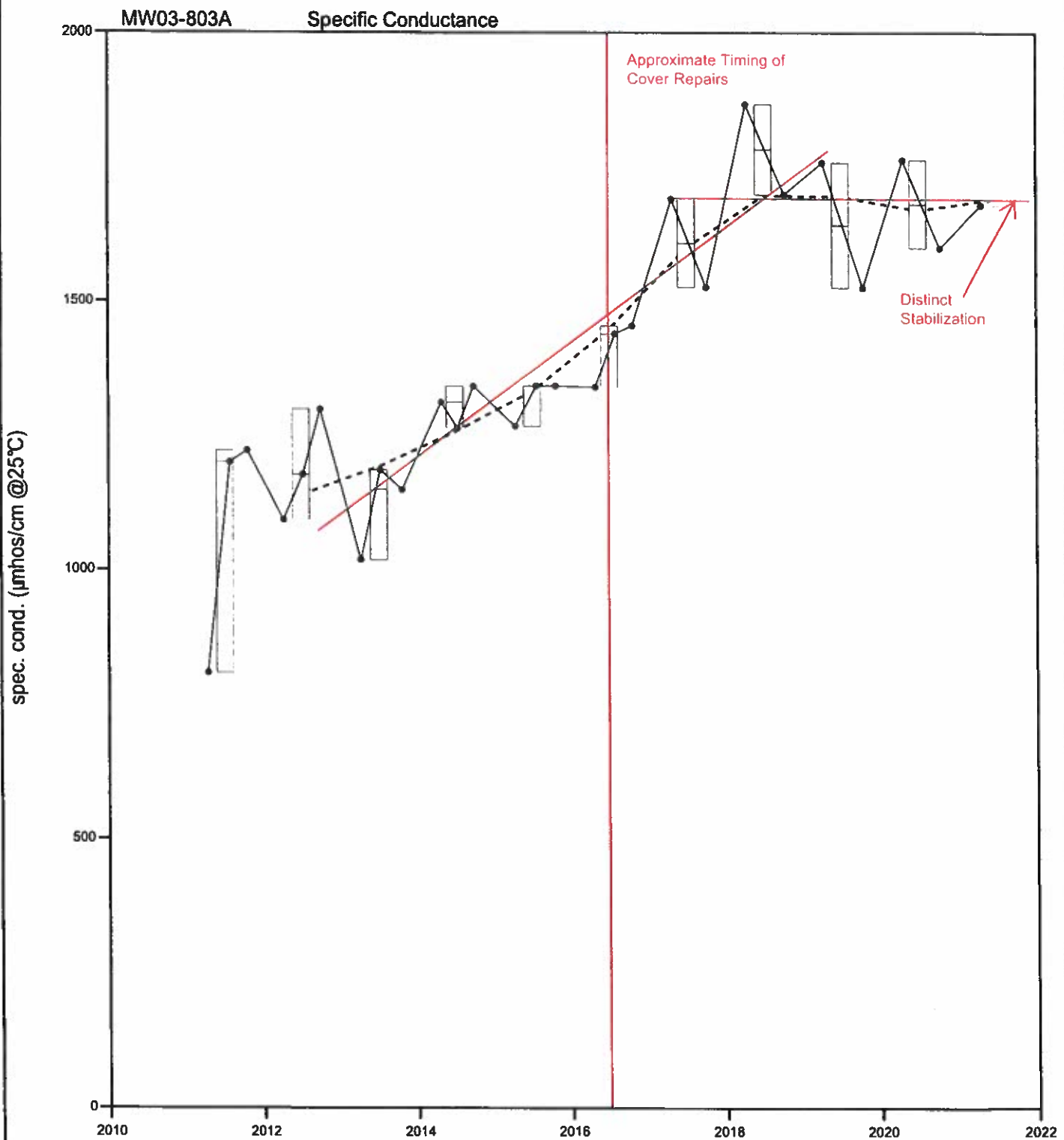


Pinetree Landfill

MW03-802B

Sevee & Maher Engineers, Inc.

Red trend lines indicate visual interpretation and are qualitative



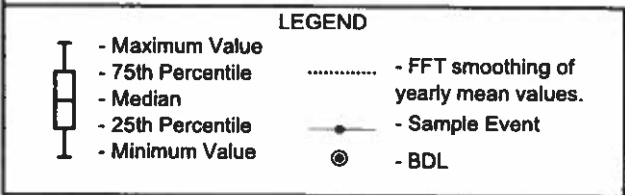
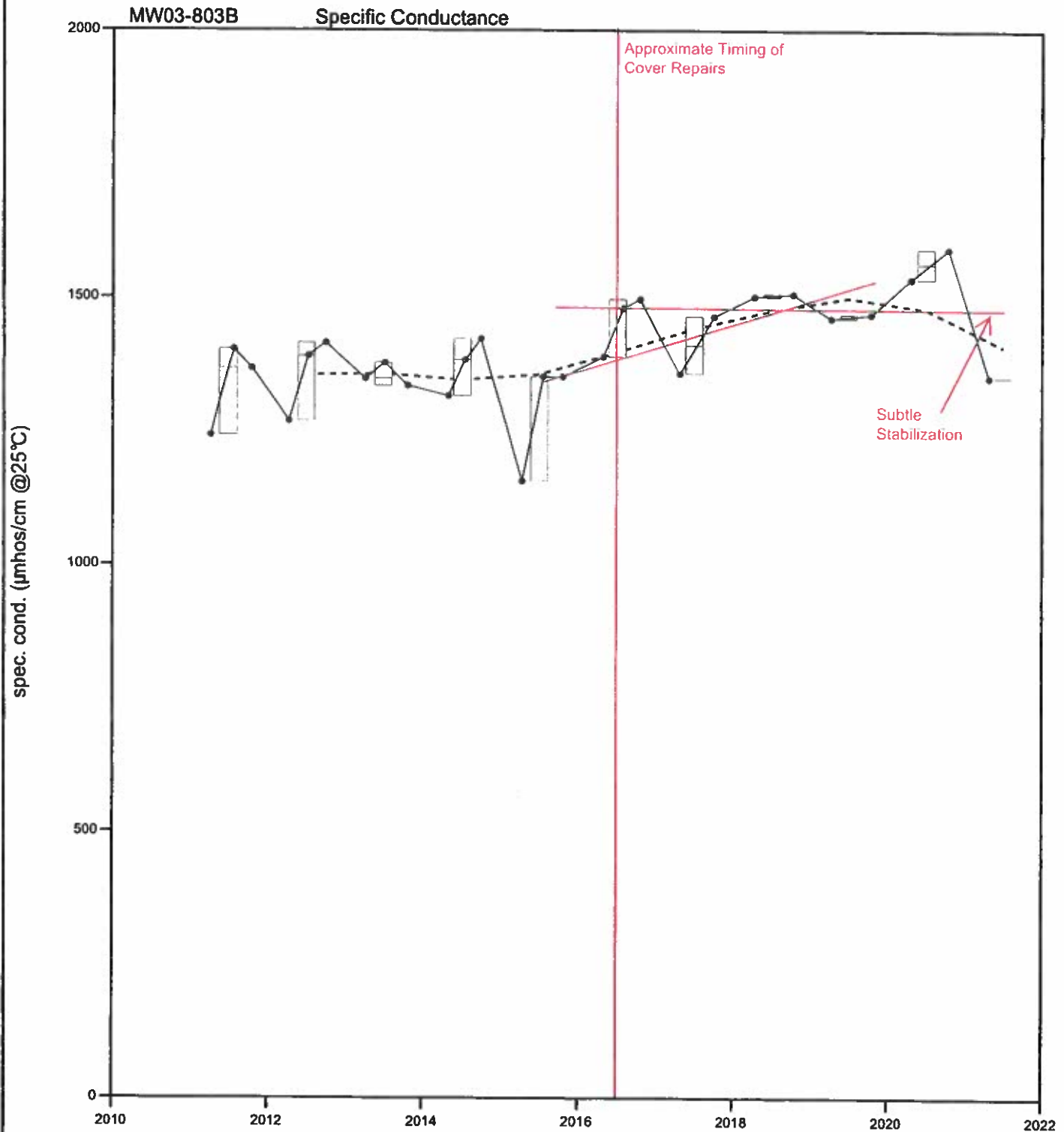
LEGEND

- Maximum Value
- 75th Percentile
- Median
- 25th Percentile
- Minimum Value
- FFT smoothing of yearly mean values.
- Sample Event
- BDL

Pinetree Landfill
MW03-803A

Sevee & Maher Engineers, Inc.

Red trend lines indicate visual interpretation and are qualitative

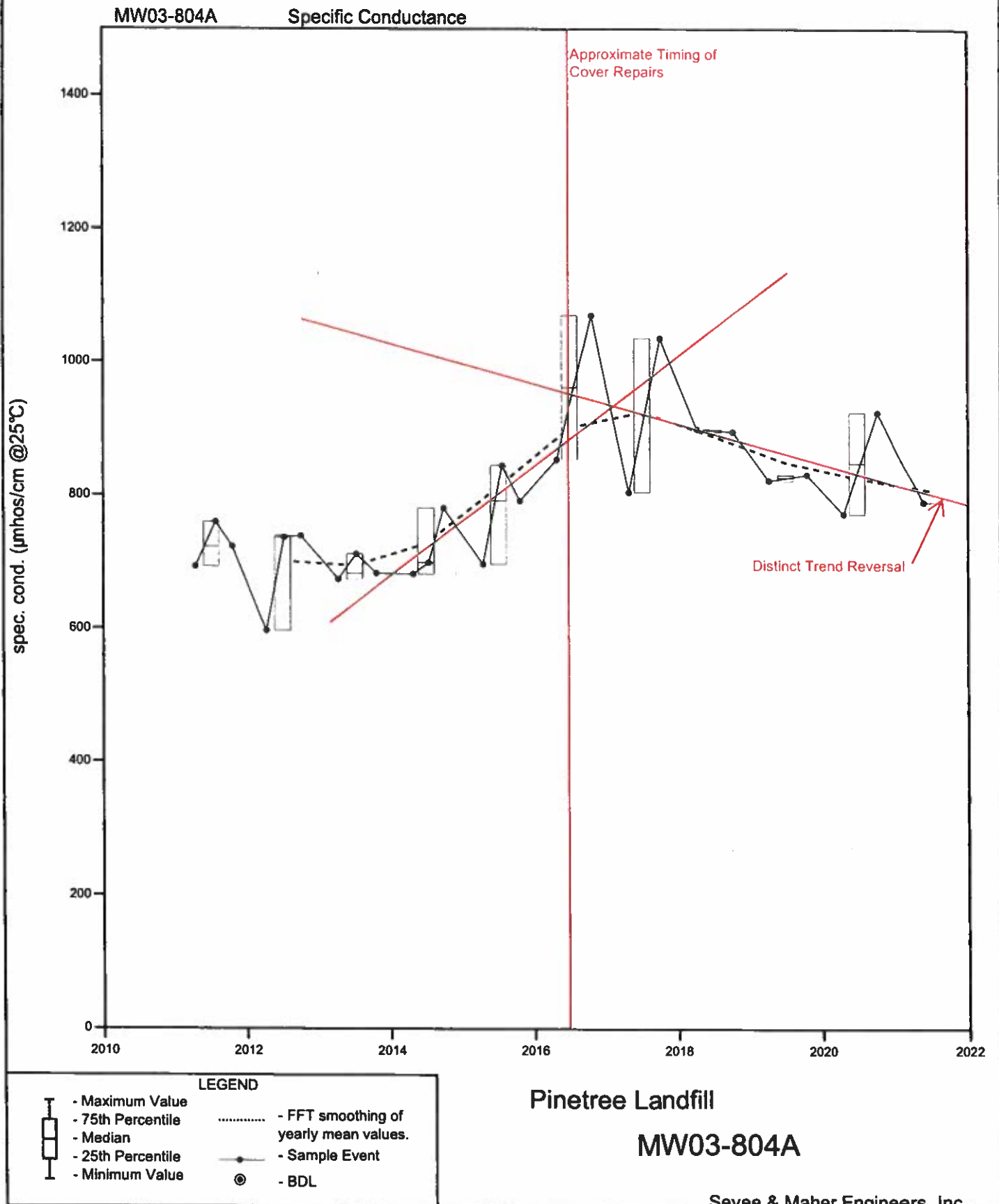


Pinetree Landfill

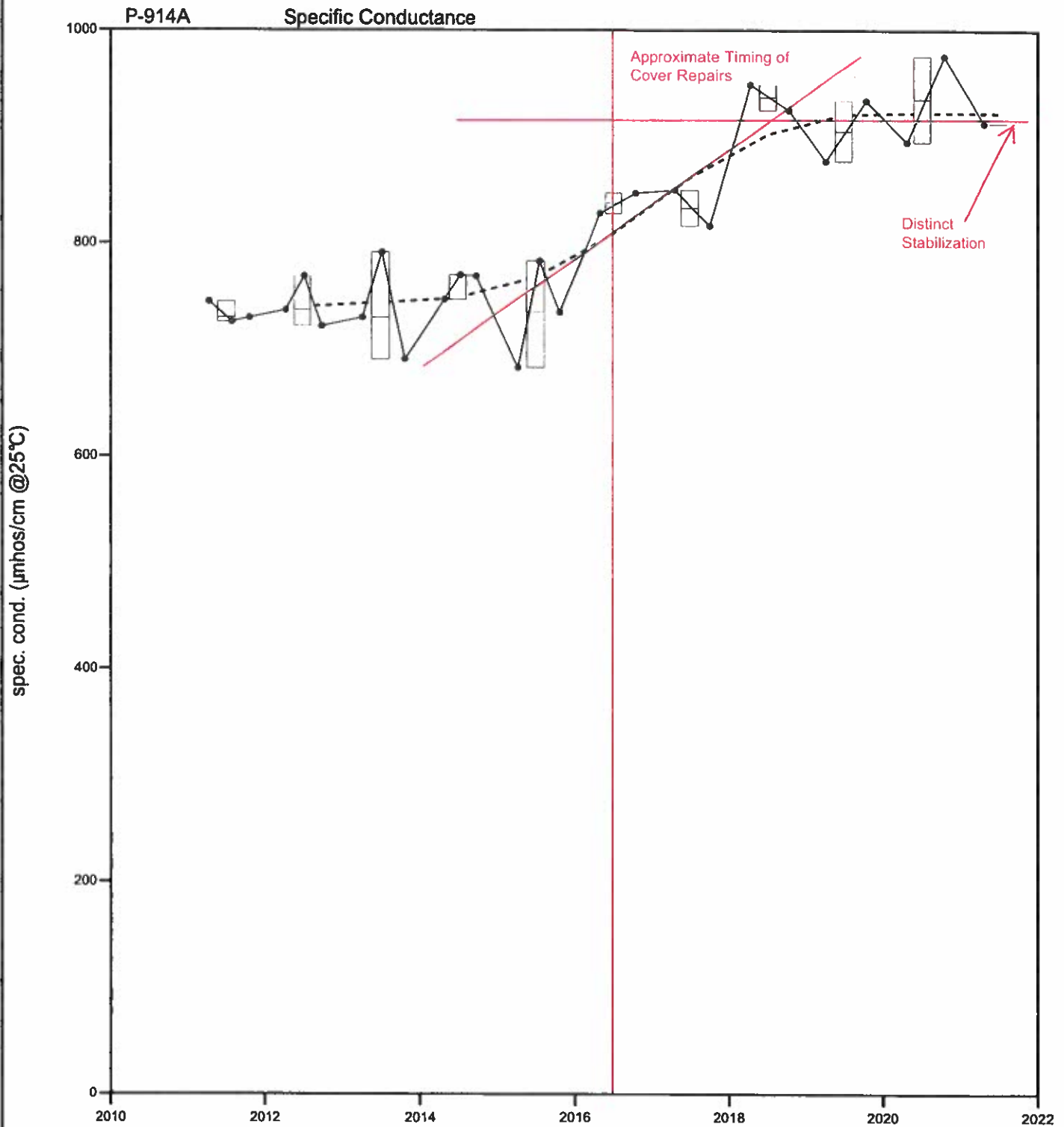
MW03-803B

Sevee & Maher Engineers, Inc.

Red trend lines indicate visual interpretation and are qualitative



Red trend lines indicate visual interpretation and are qualitative



- Maximum Value
- 75th Percentile
- Median
- 25th Percentile
- Minimum Value

LEGEND

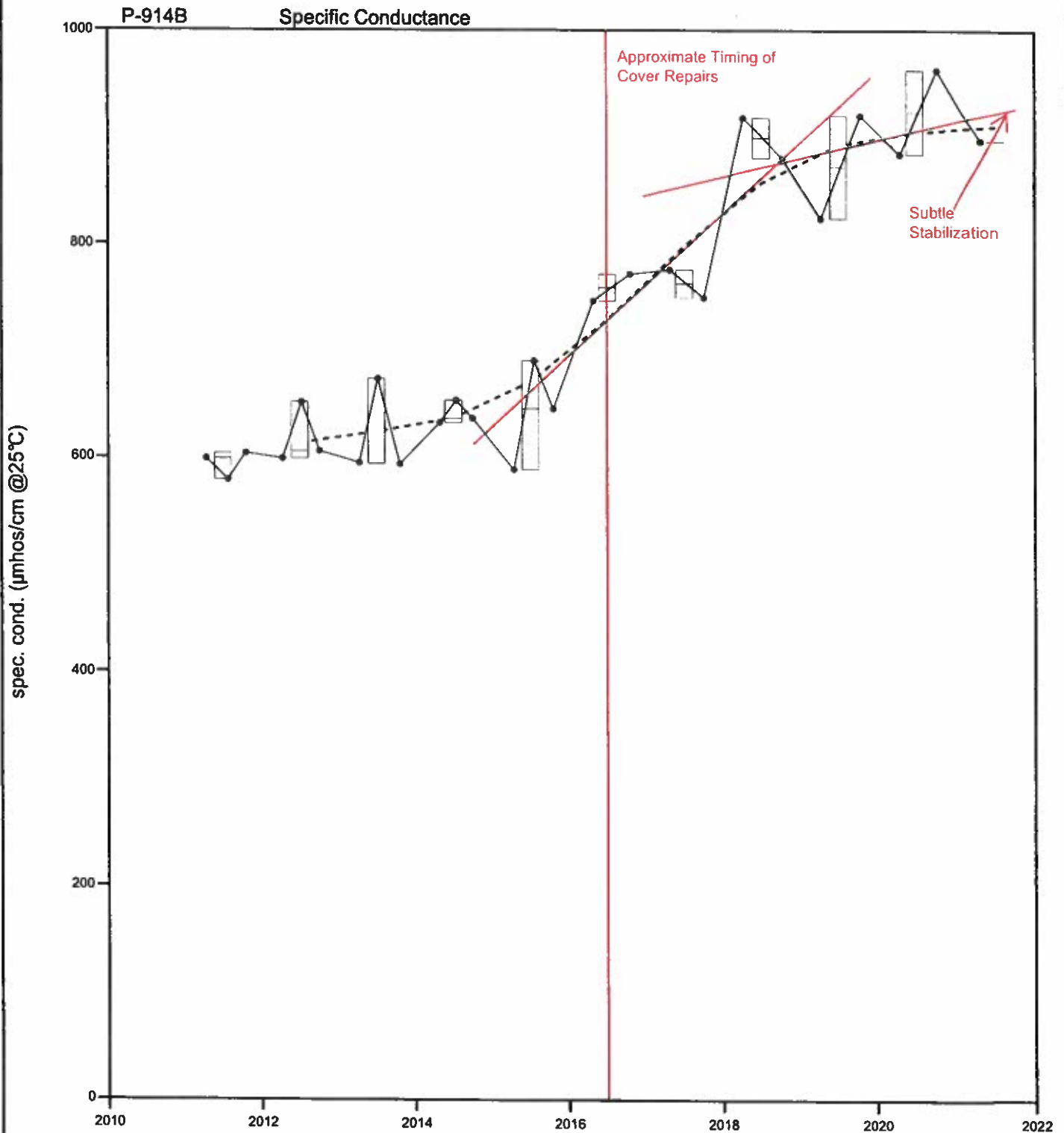
- FFT smoothing of yearly mean values.
- Sample Event
- BDL

Pinetree Landfill

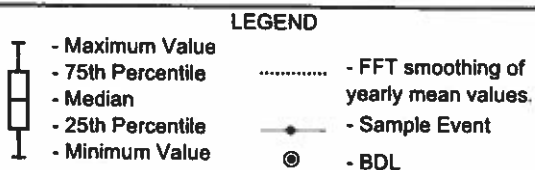
P-914A

Sevee & Maher Engineers, Inc.

Red trend lines indicate visual interpretation and are qualitative



Pinetree Landfill
P-914B



Sevee & Maher Engineers, Inc.

**Memorandum**

TO: Town Council
FROM: Paula Scott, Town Manager
DATE: July 29, 2021
RE: Remote meeting policy

This item is placed on the agenda under "unfinished business" because of a procedural error at the last meeting. During deliberation and debate, Mayor Wright "called the question" which is a request to stop debate. This type of motion does require a vote. Therefore, an argument could be made that the vote following the request to call the question was a vote on calling the question and not on the policy itself. By placing this back on the agenda under unfinished business, it will give the path to properly and without question vote on the policy itself.

I have quickly perused prior meetings going back to July 6th of 2020 to see if there was anything that also needed to be ratified, and I did not see anything that concerned me. I noted that calling the question without a vote to do so has been done approximately 5 times, with two different Mayors, and with various Councilor's requesting that a question be called. Only two times did I see that the request to call the question was voted on. I point this out only to state that elected officials are not expected to be parliamentarians. Ours is a unique situation in that we do have a parliamentarian on the Council, but that is the rare exception and not the norm. While we do strive to make proper motions and subsequent votes, the purpose of Robert's Rules for municipalities is to aid in helping officials run an effective meeting. As stated in previous meetings, when I took the parliamentary procedure class at MMA, we were told that only about 20% of Robert's Rules applies to municipalities and we were all cautioned not to get too lost in the depths. This is why many municipalities have switched to the Maine Moderator's Manual which is scaled back and less technical.



Town of Hampden
Remote Meeting Participation Policy

Pursuant to 1 MRSA § 403-B, and after public notice and hearing, the Town of Hampden adopts the following policy to govern the participation, via remote methods, of members of the body and the public in the public proceedings or meetings of the body.

Members of the body are expected to be physically present for meetings except when not practicable, such as in the case of an emergency or urgent issue that requires the body to meet via remote methods, or an illness or temporary absence of a member that causes significant difficulty traveling to the meeting location. Consistent with the Town of Hampden Charter, members are restricted to six remote meetings a year and the chair or presiding officer of the body, in consultation with other members if appropriate and possible, will make a determination that remote methods of participation are necessary in as timely a manner as possible under the circumstances. A member who is unable to attend a meeting in person will notify the chair or presiding officer of the body as far in advance as possible. Members are permitted to attend executive sessions remotely provided that the security of the technology is vetted by the IT department. As an assurance for the public and for full transparency, it shall be the policy that remote participation by members of the body shall be permitted only by way of video. Participation by members through telephone or chat features shall be prohibited.

The public will be provided a meaningful opportunity to attend via remote methods for all meetings. The public will also be provided an opportunity to attend the meeting in person unless there is an emergency or urgent issue that requires the entire body to meet using remote methods. Even when all members of the body are physically present, it shall be the policy of the Town of Hampden to allow members of the public to attend and participate via remote methods.

Notice of all meetings will be provided in accordance with 1 MRSA § 406 and any applicable charter, ordinance, policy, or bylaw. When the public attend via remote methods, notice will include the means by which the public may access the meeting remotely and will provide a method for disabled persons to request necessary accommodation to access the meeting. Notice will also identify a location where the public may attend the meeting in person. The body will not restrict public attendance to remote methods except in the case of an emergency or urgent issue that requires the body to meet using remote methods of attendance.

The body will make all documents and materials to be considered by the body available to the public who attend in person, provided no additional costs are incurred by the body.

All votes taken during a meeting using remote methods will be by roll call vote that can be seen and heard if using video technology, or heard if using audio technology only, by other members of the body and the public. A member of the body who participates remotely will be considered present for purposes of a quorum and voting.

This policy will remain in force indefinitely unless amended or rescinded.

Dated: _____

Signed: _____

H-a



Memorandum

TO: Town Council
FROM: Paula Scott, Town Manager
DATE: July 29, 2021
RE: Audit engagement

This item is a standard housekeeping item whereby the Council will vote to authorize me to sign the audit engagement with James W. Wadman, CPA.

James W. Wadman

CERTIFIED PUBLIC ACCOUNTANT

James W. Wadman, C.P.A.
Ronald C. Bean, C.P.A.
Kellie M. Bowden, C.P.A.
Wanese L. Lynch, C.P.A.
Amy E. Atherton, C.P.A.

June 15, 2021

Town of Hampden
106 Western Avenue
Hampden, ME 04444

We are pleased to confirm our understanding of the services we are to provide the **Town of Hampden** for the fiscal year ended June 30, 2021. We will audit the financial statements of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information, including the related notes to the financial statements, which collectively comprise the basic financial statements, of the **Town of Hampden** as of and for the fiscal year ended June 30, 2021. Accounting standards generally accepted in the United States of America provide for certain required supplementary information (RSI), such as management's discussion and analysis (MD&A), to supplement the **Town of Hampden's** basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedure to **Town of Hampden's** RSI in accordance with auditing standards generally accepted in the United States of America. These limited procedures will consist of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We will not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance. The following RSI is required by generally accepted accounting principles and will be subjected to certain limited procedures, but will not be audited:

- 1) Management's Discussion and Analysis.
- 2) Budgetary Comparison Information
- 3) Historical Pension Information (if applicable)
- 4) Other Post Employment Benefits Information (if applicable)

We have also been engaged to report on supplementary information other than RSI that accompanies **Town of Hampden's** financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America and will provide an opinion on it in relation to the financial statements as a whole:

- 1) Schedule of expenditures of federal awards (if applicable).
- 2) Other Supplementary Information.

Audit Objectives

The objective of our audit is the expression of opinions as to whether your basic financial statements are fairly presented, in all material respects, in conformity with U.S. generally accepted accounting principles and to report on the fairness of the supplementary information referred to in the second paragraph above when considered in relation to the financial statements as a whole.

Our audit will be conducted in accordance with generally accepted auditing standards generally accepted in the United States of America, and will include tests of accounting records, and other procedures we consider necessary to enable us to express such opinions. Our reports will be addressed to **Town of Hampden**. We cannot provide assurance that unmodified opinions will be expressed. Circumstances may arise in which it is necessary for us to modify our opinions or add emphasis-of-matter or other-matter paragraphs. If our opinions on the financial statements are other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or to issue reports, or may withdraw from this engagement.

Audit Procedures—General

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements. We will plan and perform the audit to obtain reasonable rather than absolute assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the entity or to acts by management or employees acting on behalf of the government.

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, there is a risk that material misstatements or noncompliance may exist and not be detected by us, even though the audit is properly planned and performed in accordance with U.S. generally accepted auditing standards and Governmental Auditing Standards. In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements or major programs. However, we will inform the appropriate level of management of any material errors, any fraudulent financial reporting, or misappropriation of assets that come to our attention. We will also inform the appropriate level of management of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential, and of any material abuse that comes to our attention. Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, and may include tests of the physical existence of inventories, and direct confirmation of receivables and certain other assets and liabilities by correspondence with selected individuals, funding sources, creditors, and financial institutions. We will request written representations from your attorneys as part of the engagement, and they may bill you for responding to this inquiry. At the conclusion of our audit, we will require certain written representations from you about your responsibilities for the financial statements and related matters.

Audit Procedures—Internal Controls

Our audit will include obtaining an understanding of the government and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures.

An audit is not designed to provide assurance on internal control or to identify deficiencies in internal control. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards.

Audit Procedures—Compliance

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of the **Town of Hampden's** compliance with provisions of applicable laws, regulations, contracts and agreements, including grant agreements. However, the objective of those procedures will not be to provide an opinion on overall compliance and we will not express such an opinion.

Other Services

We will also prepare or assist in preparing the financial statements, and related notes of **Town of Hampden** in conformity with U.S. generally accepted accounting principles based on information provided by you. We will perform the services in accordance with applicable professional standards. These services are limited to the financial statement services previously defined. We will also assist in recording the capital asset additions, retirements and related depreciation. We, in our sole professional judgment, reserve the right to refuse to perform any procedures or take any action that could be construed as assuming management responsibilities.

Management Responsibilities

Management is responsible for designing, implementing and maintaining effective internal controls relevant to the preparation of financial statements that are free from material misstatement whether due to fraud or error including monitoring ongoing activities. You are also responsible for the selection and application of accounting principles; for preparation and fair presentation of the financial statements, in conformity with U.S. generally accepted accounting principles.

Management is also responsible for making all financial records and related information available to us and for the accuracy and completeness of that information. You are also responsible for providing us with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, (2) additional information that we may request for the purpose of the audit, and (3) unrestricted access to persons within the government from whom we determine it necessary to obtain audit evidence.

Your responsibilities also include identifying significant vendor relationships in which the vendor has responsibility for program compliance and for the accuracy and completeness of that information. Your responsibilities include adjusting the financial statements to correct material misstatements and confirming to us in the written representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, grantors, regulators, or others. In addition, you are responsible for identifying and ensuring that the government complies with applicable laws, regulations.

You are also responsible for the preparation of the other supplementary information, which we have been engaged to report on, in conformity with U.S. generally accepted accounting principles. You agree to include our report on the supplementary information in any document that contains and indicates that we have reported on the supplementary information. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the supplementary information in accordance with GAAP; (2) that you believe the supplementary information, including its form and content, is fairly presented in accordance with GAAP; (3) that the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the supplementary information.

You agree to assume all management responsibilities relating to the financial statements, and any other nonaudit services we provide. Further, you agree to oversee the nonaudit services by designating an individual, preferably from senior

management, with suitable skill, knowledge, or experience; evaluate the adequacy and results of those services; and accept responsibility for them.

Audit Administration, Fees, and Other

We understand that your employees will prepare all cash, accounts receivable, or other confirmations we request and will locate any documents selected by us for testing.

We understand that for audit procedures performed at your offices, financial personnel will be present during the entire duration of our fieldwork.

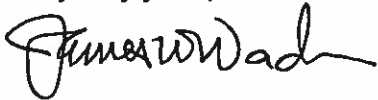
We will provide copies of our reports to the Town; however, management is responsible for distribution of the reports and the financial statements. Unless restricted by law or regulation, or containing privileged and confidential information, copies of our reports are to be made available for public inspection.

The audit documentation for this engagement is the property of the audit firm and constitutes confidential information. However, subject to applicable laws and regulations, audit documentation and appropriate individuals will be made available upon request and in a timely manner to town or its designee, a federal agency providing direct or indirect funding, or the U.S. Government Accountability Office for purposes of a quality review of the audit, to resolve audit findings, or to carry out oversight responsibilities. We will notify you of any such request. If requested, access to such audit documentation will be provided under the supervision of the audit firm personnel. Furthermore, upon request, we may provide copies of selected audit documentation to the aforementioned parties. These parties may intend, or decide, to distribute the copies or information contained therein to others, including other governmental agencies.

Our fee for these services will be at our standard hourly rates plus out-of-pocket costs (such as report reproduction, word processing, postage, travel, copies, telephone, etc.) Our standard hourly rates vary according to the degree of responsibility involved and the experience level of the personnel assigned to your audit. Our invoices for these fees will be rendered each month as work progresses and are payable on presentation. The audit fee is based on anticipated continued employment and cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit. If significant additional time is necessary, we will discuss it with you and arrive at a new fee estimate before we incur the additional costs.

We appreciate the opportunity to be of service to the **Town of Hampden** and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return it to us.

Very truly yours,



James W. Wadman, C.P.A.

RESPONSE:

This letter correctly sets forth the understanding of the **Town of Hampden**.

By: _____
Title: _____
Date: _____

H-b



Town of Hampden
Economic Development

MEMORANDUM

To: Town Council

From: Amy Ryder, Economic Development Director

Date: July 29, 2021

RE: TDS Letter of Intent

As mentioned at the last town council meeting, TDS has supplied us with a letter of intent for fiber service in their territory of Hampden (90-95%)

The Manager of Municipal Affairs for TDS, the contact who I have been working with, will not be able to make the meeting for discussion, but has asked another representative Ron Tryoer the Field Manager of Maine to attend in his absence. This is an opportunity to ask him any questions you may have.

I also encourage you to watch the public forum on the municipal model with Mark Ouelette from AXIOM beforehand in order to get a full understanding of both companies models.

Attached you will see the LOI from TDS for your review. Keep in mind that this is a letter of interest, not a letter of commitment.

Thank you,

Amy Ryder



July 28, 2021

Amy Ryder
Economic Development Director
Town of Hampden
106 Western Ave
Hampden, ME 04444

Dear Ms. Ryder,

I am pleased to share with you additional details of the project TDS has planned for extending fiber in Hampden. TDS plans to install over 33 miles of fiber optic cable to extend fiber-to-the-premises service to more than 1200 additional locations throughout the entire TDS service territory in Hampden.

We have approval from our senior management team for the entire project and will begin preliminary engineering work immediately, with a goal to break ground in the spring of 2022. Although always subject to conditions beyond our control, we expect to complete construction within 12 to 18 months after breaking ground.

TDS does not require or expect any monetary contribution from the city for this project, it will be entirely funded by TDS.

The additional fiber infrastructure will enable TDS to offer higher speeds, up to 1 Gbps, and more services, such as TDS TV+, our cutting-edge video product.

Should you have any questions regarding this request, please do not hesitate to contact me at 603-526-2211 or scott.brooks@tdstelecom.com.

Best regards,

Scott A. Brooks

Scott A. Brooks
Manager, State Government Affairs

H-C



Town of Hampden
Economic Development

MEMORANDUM

To: Town Council

From: Amy Ryder, Economic Development Director

Date: July 29, 2021

RE: Municipally Owned Fiber Network

A project that we have been discussing for over a year now; broadband and fiber expansion to our town. We have worked closely with AXIOM, received grant funding for research and public engagement, and on course to receive funding for infrastructure towards our underserved areas with the municipally owned model.

There has been a broadband committee formed, many hours spent by staff and the committee trying to engage public, capture funding and educate ourselves, the council, and citizens.

We would like to know if it is the council's wishes to continue our efforts forward and hold a public hearing for the approval of bond council for November referendum question in owning a municipally owned network managed by AXIOM.

I look forward to discussion.

Thank you,

Amy Ryder